

**EU Grant Agreement number: 290529**  
**Project acronym: ANTICORRP**  
**Project title: Anti-Corruption Policies Revisited**

Work Package: WP 6 Media and corruption

**Title of deliverable:** D 6.2 Case studies on corruption involving journalists

**Case studies on corruption involving journalists: Latvia**

Due date of deliverable: 31 August, 2016

Actual submission date: 31 August, 2016

Author: Iveta Kazoka (PROVIDUS)

Organization name of lead beneficiary for this deliverable: UNIPG, UNIVERSITÀ DEGLI STUDI DI PERUGIA

Project co-funded by the European Commission within the Seventh Framework Programme		
Dissemination level		
<b>PU</b>	Public	X
<b>PP</b>	Restricted to other programme participants (including the Commission Services)	
<b>RE</b>	Restricted to a group specified by the consortium (including the Commission Services)	
<b>Co</b>	Confidential, only for members of the consortium (including the Commission Services)	

The information and views set out in this publication are those of the author(s) only and do not reflect any collective opinion of the ANTICORRP consortium, nor do they reflect the official opinion of the European Commission. Neither the European Commission nor any person acting on behalf of the European Commission is responsible for the use which might be made of the following information.

# CONTENTS

1. Introduction	p. 3
2. Investigative journalism of magazine IR on corruption in context of insolvency proceedings	p. 8
3. Media reporting on Jurmalgate	p. 22
4. Kompromat internet portals	p. 36
5. Wiretrapping and leaking journalist's phone conversations	p. 48
6. Conclusions	p. 60
References	p. 63

# Introduction

This report has been written as a part of case study reports within work package 6 (media and corruption) of the large-scale research project ANTCORRP funded by the European Commission's Seventh Framework Programme<sup>1</sup>. By focusing on Latvia, it provides an in-depth insight into cases of corruption involving journalists and media outlets.

## 1. Latvia's media landscape

Latvia's media landscape can be characterized as being diverse, plural and split along language lines into Latvian-language and Russian-language media outlets (Skudra et al. 2014). A variety of political views are represented in media both generally and during elections (OSCE 2011).

During the last decade, media in Latvia have generally enjoyed a relatively high degree of public trust – trust in media reporting has been consistently higher than the European Union average for TV and internet media outlets and around average for radio and written press (see Table 1). Nevertheless, as shown in Table 1, the overall trust in media has declined since Latvia joined EU in 2004. For instance, 69% of population trusted TV reporting in 2004, while only 58% trusted TV in 2015.

---

<sup>1</sup> In order to learn more about other research conducted within ANTCORRP Project visit the website [anticorpp.eu](http://anticorpp.eu)

**Table 1: Public trust in media<sup>2</sup>**

	<b>TV</b>	<b>Press</b>	<b>Radio</b>	<b>Internet</b>
<b>2004</b>	69%	50%	65%	-
<b>2005</b>	66%	54%	66%	-
<b>2006</b>	65% (above EU average)	50% (above)	61% (below)	39% (above)
<b>2007</b>	66%(above)	50% (above)	63% (above)	37% (above)
<b>2008</b>	-	-	-	-
<b>2009</b>	59%(above)	40% (below)	58% (average)	40% (above)
<b>2010</b>	62%(above)	42% (above)	58% (above)	44% (above)
<b>2011</b>	59%(above)	40% (below)	58% (above)	42% (above)
<b>2012</b>	58%(above)	41% (below)	56% (above)	42% (above)
<b>2013</b>	60%(above)	46% (above)	61% (above)	46% (above)
<b>2014</b>	62%(above)	41% (below)	61% (above)	42% (above)
<b>2015</b>	58%(above)	36% (below)	57% (above)	35% (above)

Media in Latvia were hit hard by economic crisis that started in 2007 and reached its highest point for media in form of lost advertising income in 2009. It coincided with the general decline of press readership and rise of internet media. (Rudusa 2009; Spakovska et al. 2014)

Among other problems that have plagued the media in Latvia, the previously conducted research<sup>3</sup> has highlighted the following:

- Lack of transparency on the owners (true beneficiaries) of various media outlets, especially the written press
- Media corruption – content in the form of paid news stories or interviews that are not disclosed to the audience as advertising. Instead they are presented as fair (good faith) journalism. The so-called ‘hidden advertising’ is a concern not just in context of commercial, but also in context of political coverage
- Large influence of advertisers, including state and municipal institutions, on the editorial choices of the media
- General weakness of media registration system in Latvia. Several important internet portals are not registered as media, while some of the portals and newspapers are produced as part

<sup>2</sup> Data: Standard Eurobarometer survey, fall sessions. Combined answers – „tend to trust”. Where possible, it is indicated in brackets whether the result in Latvia is above or below EU average.

<sup>3</sup>On hidden advertising, influence of advertisers on editorial decisions, etc. see, for example, Baerug R. (2005) Hidden Advertising and TV Journalism in the Baltic Countries and Norway. In *The Baltic Media World*, 2005; Skudra O, Sulmane I., Dreijere V. (2014). Plašsaziņas līdzekļi demokrātiskā sabiedrībā. In *Cik demokrātiska ir Latvija? Demokrātijas audīts 2005-2015*. Rīga: LU Sociālo un politisko pētījumu institūts, 2014. Available at: [http://www.szf.lu.lv/fileadmin/user\\_upload/szf\\_faili/Petnieciba/Demokratijas\\_audits\\_2014\\_kopaa.pdf](http://www.szf.lu.lv/fileadmin/user_upload/szf_faili/Petnieciba/Demokratijas_audits_2014_kopaa.pdf); Šulmane, I. (2011). Latvian daily press journalists: Between or together with commercialisation and partisanship? In: *Media Transformations*. Kaunas: Vytautas Magnus University, Vol. 5, pp. 24–43; Rožukalne, Anda. (2011) *Slēptā reklāma Latvijas mediju saturā: cēloņi, redakciju stratēģijas un reklāmdevēju prakse*. Sabiedriskās politikas centrs PROVIDUS. Retrieved from: [http://providus.lv/article\\_files/2117/original/slepta\\_reklama\\_mediju\\_prakse.pdf?1343212009](http://providus.lv/article_files/2117/original/slepta_reklama_mediju_prakse.pdf?1343212009) *Latvijas mediju politikas pamatnostādnes 2016.-2020.gadam*. Pielikums. (2015). Latvijas Republikas Kultūras ministrija. Available: [http://www.km.gov.lv/lv/doc/nozaru/mediji/KMPamnp\\_061115\\_mediju\\_politika.docx](http://www.km.gov.lv/lv/doc/nozaru/mediji/KMPamnp_061115_mediju_politika.docx); Sulmane I. (2011). Neatrstās identitātes? Latvijas dienas laikrakstu žurnālisti politikas, ekonomikas un kultūras lauku ietekmē. LU SPPI

of one-off PR campaigns (for example, a brochure that has been registered as a newspaper might only be published during election campaign).

- Lax standards on the distinction between journalism and PR, both in Latvian and in Russian language media
- Weak system of media self-regulation – relatively little per pressure that would lead to improvement of quality reporting
- Weak control over the observance of standards of responsible journalism - no credible complaints system for the concerned public.

## **2. Media and corruption coverage in Latvia**

In 2015-2016 an extensive analysis of corruption coverage of four Latvian newspapers (Diena, Neatkarīgā Rīta Avīze Latvījai, Latvijas Avīze and Dienas Bizness) was conducted under ANTICORRP project<sup>4</sup>. It covered 1678 articles that were published from 2004-2013. A steep decline of corruption coverage during this time period was exposed by this analysis. In other countries that were analysed by the same methodology (UK, France, Italy, Romania, Slovakia, Hungary) no decline of such a scale was registered.

The four Latvian newspapers seemed to have a similar approach to corruption coverage. In contrast to other countries covered by the research, the Latvian newspapers were reporting more widely on political party funding stories, on anticorruption agency and anticorruption legislation. The concept of corruption in Latvian newspapers was linked almost exclusively with public sector and it was driven by national legislation and institutional structure. In a similar manner to newspapers in several other EU member states, the corruption coverage in Latvia showed little interest in foreign or international corruption, focusing instead on national and local level.

There are several media outlets/journalist teams in Latvia that have sufficient capacity to produce/investigate their own corruption related stories. Currently the most prominent in terms of their coverage and/or influence are the following:

- A weekly analytical TV program ‘De Facto’. It is broadcasted on Sunday evenings by public television LTV1
- A weekly analytical TV program ‘Nekā Personīga’. It is broadcasted on Sunday evenings by commercial TV channel TV3

---

<sup>4</sup> Kazoka, I. (2016) Human Assisted Content Analysis of the print press coverage of corruption in Latvia. 30 June, 2016. Deliverable for project Anti-Corruption Policies Revisited (ANTICORRP)

- A weekly magazine IR which specializes on quality journalism, including on investigating/analysing complex corruption cases
- An organisation for investigative journalism *Re:Baltica* that conducts its own journalistic investigations.

In addition, Latvian daily newspapers and the public broadcasting radio channel LR1 have some limited capacity to investigate corruption stories.

An important part of corruption coverage in Latvia are *kompromat* internet portals (see Case Study 3 below) and *kompromat* books and brochures on concrete politicians and/or top officials.

### 3. Methodology for this report

The four case studies for in-depth analysis on media’s interaction with corruption in Latvia were chosen on the basis of four criteria:

- 1) VARIETY – four case studies as a whole should be illustrative of a variety of possible interactions between media/journalists and corruption (for example, reporting on corruption and being part of corrupt networks)
- 2) COMPLEXITY - each case study should provide an example of at least two diverse roles played by journalists
- 3) NOVELTY - none of the case studies should have been previously subject to an in-depth analysis (in the context of corruption)
- 4) COMPREHENSIVENESS – the four case studies as a whole should allow to ascertain the main issues of corruption coverage in Latvia.

Case study	Rationale for choosing this case for analysis
<b>Case study 1</b> Investigative journalism of magazine IR on corruption in context of insolvency proceedings	<ul style="list-style-type: none"> <li>• A case of a thorough and in-depth investigation on corruption</li> <li>• High impact case in terms of political repercussions and legislation</li> <li>• A case where quality reporting gained almost no coverage in other media outlets</li> <li>• Slander lawsuits against the journal and journalist</li> </ul>
<b>Case study 2</b> Media reporting on Jurmalgate	<ul style="list-style-type: none"> <li>• The most widely covered corruption scandal in Latvia</li> <li>• Coverage extends over timeframe of more than 10 years</li> <li>• Different framing of the scandal by journalists – attempts to kill the story</li> <li>• Information leaks as a problematic issue</li> </ul>
<b>Case study 3</b> <i>Kompromat</i> internet portals	<ul style="list-style-type: none"> <li>• <i>Kompromat</i>: an important part of corruption coverage in Latvia – intersection between PR, journalism and civic activism</li> </ul>

	<ul style="list-style-type: none"> <li>• A symptom of vague borderline between public relation attack campaigns and responsible journalism</li> <li>• A symptom of lacking quality/responsible journalism self-control system for media in Latvia</li> </ul>
<p><b>Case study 4</b>          Illegal wiretapping and leaking of journalist's conversations</p>	<ul style="list-style-type: none"> <li>• Retaliation against an investigative journalist who works on corruption stories</li> <li>• Different approaches by media in their choice whether to publish leaked phone conversations of an investigative journalist</li> <li>• Visibility of the problem of lacking quality/responsible journalism control system for media in Latvia</li> </ul>

# **Investigative journalism of magazine IR on corruption in context of insolvency proceedings**

Starting from 2012, the weekly magazine IR has been publishing investigative articles on corruption in context of insolvency proceedings. These articles are some of the most impressive corruption-related journalistic investigative research in the recent history of Latvia.

This particular case study was selected for further analysis, because it covers three typologies of the common research framework pertaining to the interaction between media and corruption (that was conducted under ANTICORRP research project):

- 1) Media as an enforcer/initiator of a corruption story
- 2) Media as a reporter/facilitator of a corruption story
- 3) Media as being inactive/lazy in context of a corruption story

Two main methods were used for analysis. Firstly, content analysis of reporting on insolvency proceedings. Secondly, anonymous interviews with leading Latvian investigative journalists and editors of media outlets<sup>5</sup>.

## **1. Context**

During the first years of the 21st century, the integrity of insolvency proceedings was not a subject matter that had substantial visibility in the public agenda of Latvia. Comparatively, corruption of judges or involvement of advocates in corrupt transactions gained more coverage. This state of affairs started to change when Latvia was hit by a deep economic recession and the number of bankrupt enterprises increased.

Even though insolvency regulation in Latvia was considered to be modern, the designated administrators of insolvency proceedings learned to tweak the system in their own interests. For example, administrators were able to move the valuable assets of an insolvent enterprise away from

---

<sup>5</sup> According to the prior agreement of ANTICORRP research team of work package 6 on media and corruption, due to the sensitivity of the subject matter all persons interviewed for this research were promised anonymity. Therefore, this report does not disclose the names of interviewees except in cases where disclosure of the identity of the source is indispensable and where the source has not objected to disclosure.



the enterprise (in the interests of the administrator himself, or former owner of the enterprise, or some other party), thus defrauding the creditors who had invested in the enterprise and who, accordingly, could not get any compensation for their investments. Administrators were also able to cancel debts of insolvent companies in the interests of their owners – there was very little control over whether such decisions had been made fairly. Administrators could also cooperate with fictitious creditors, thereby in the interests of some companies paralyzing work of their closest competitors (during insolvency proceedings for companies that, in fact, were solvent) or even by taking over the control over competing companies. Administrators of insolvency procedures started to form informal groups among themselves (the so-called ‘cooperatives’) which allowed them to coordinate their actions, thus gaining control over all parties that were involved in insolvency proceedings. ‘Cooperatives’ were sometimes working together with judges who, according to the law, were supposed to control insolvency transactions.

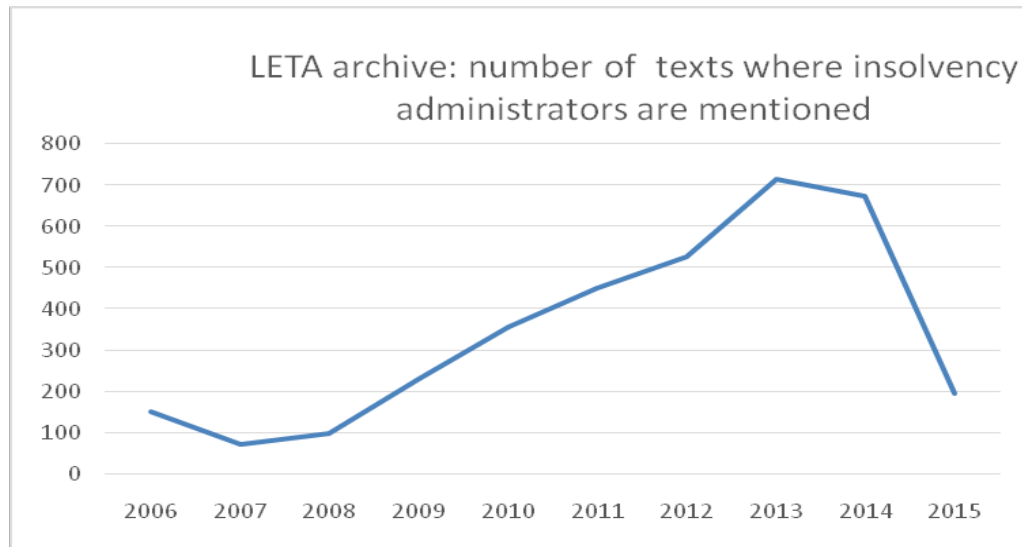
Such cases were notoriously complicated, and police was not prioritising insolvency cases for investigation. Nevertheless, the number of problems was accumulating and the issue of integrity of insolvency proceedings gradually entered the public domain.

Figure 1 shows the number of texts (news stories, media articles) which mention administrators of insolvency proceedings from 2006-2015 that can be found in LETA archive<sup>6</sup>. As illustrated by this figure, the number of texts that mention administrators of insolvency proceedings starts from a low point in 2007 and rises steeply, until reaching its peak in 2013-2014. The same trend is visible when one looks at Figure 2 which illustrates the number of articles that mention administrators of insolvency proceedings in three main daily newspapers – Diena, NRA and Latvijas Avīze.

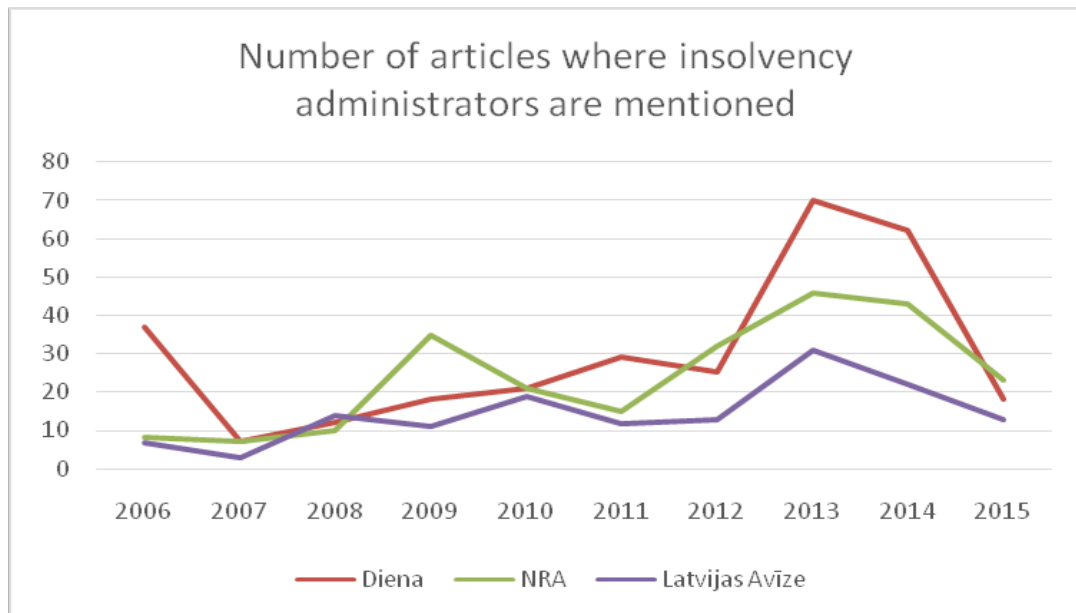
---

<sup>6</sup> LETA is the largest news agency in Latvia – its archive contains news stories produced by LETA and also archived articles of some of the major Latvian language newspapers.

**Figure 1: LETA archive. Number of texts (news stories, media articles) where insolvency administrators are mentioned, 2006-2015**



**Figure 2: Number of articles in Diena, Latvijas Avīze, NRA where insolvency administrators are mentioned, 2006-2015**



In autumn of 2012, the weekly magazine IR started to publish in-depth journalistic investigations on various schemes used by administrators of insolvency proceedings, their links with judges and political elite. There were three such articles in 2012, and four more during 2013-2014 (Table 2).

They were all written by journalist Indra Sprance, and accompanied by follow-up reporting in IR magazine and website (see next section).

**Table 2: Main investigative articles on corruption during insolvency proceedings by Indra Sprance, magazine IR**

Date	Title	Main discoveries
12/09/2012	Viltus nabagi/ Fraudulent poor	<ul style="list-style-type: none"> <li>• First article that mentions ‘cooperatives’ (corrupt networks) of administrators of insolvency administrators</li> <li>• An investigation of a suspicious case (DK Holding) - a variety of strange coincidences which seem to indicate that administrators and judges in Latvian courts coordinate their activities for corrupt purposes</li> </ul>
19/09/2012	Maksātnešpējas ķēķis/ Kitchen of insolvency	<ul style="list-style-type: none"> <li>• In-depth analysis of one ‘cooperative’ of administrators of insolvency proceedings that includes nine administrators</li> <li>• First mention of the fact that creditor banks (that had provided loans to some enterprises that later went insolvent) secretly remunerate insolvency administrators in order to ensure that the banks will get their loaned money back during insolvency proceedings (administrators are only able to guarantee such a result if they illegally coordinate their actions with judges)</li> <li>• It is mentioned in the article that all proposals for reforming the system tend to get stuck in the Ministry of Justice, and that the parliamentary secretary of the Ministry is linked with insolvency administrators’ interests</li> <li>• It includes an analysis on the political donations by administrators of insolvency proceedings that indicates that they mostly sponsor National Alliance, the party in charge of Ministry of Justice (which is in charge of formulating state policy on insolvency)</li> <li>• It includes an analysis of the main problems of existing insolvency regimes that allow the occurrence of corrupt schemes</li> </ul>
10/10/2012	Miljonu žonglieri/ Jugglers of millions	<ul style="list-style-type: none"> <li>• Analysis of a case where an administrator of insolvency proceedings Māris Sprūds helped the family of the head of anti-corruption agency KNAB to get rid of the debts of its business company</li> <li>• Analysis of a case where the company of the son of Imants Parādnieks, an influential politician of National Alliance, is saved from its debts by an insolvency administrator</li> <li>• Detailed explanation on how a company can be ‘emptied’ of its assets during insolvency proceedings so that the owner of the company eventually keeps those assets (by forming fictitious creditors whose claims are approved by the administrator – in this way the real creditors of the company are defrauded)</li> <li>• Journalist makes an observation on how the state institution that is supposed to control the work of administrators is staffed by people who are relatives and spouses of administrators</li> </ul>
03/04/2013	Ceļojošais cirks/ Travelling circus	<ul style="list-style-type: none"> <li>• An article that concentrates on suspicious links between administrators of insolvency proceedings and judges</li> <li>• Journalistic investigation on: <ul style="list-style-type: none"> <li>○ enterprises that suddenly change their address before insolvency proceedings in the court (so that the case ends up in a court of their choosing)</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ judges who regularly end up working with insolvency proceedings of those companies that had suddenly changed their address.</li> </ul>
12/12/2013	Tiesa kā veikals? / The court as a shop?	<ul style="list-style-type: none"> <li>• An article that focuses on: <ul style="list-style-type: none"> <li>○ interactions between banks and ‘cooperatives’ of administrators of insolvency proceedings</li> <li>○ suspicious networks among administrators and judges. Journalist had discovered that not only there is a pattern of judges who work on a suspicious insolvency case during the first instance of court deliberation, but also during appeal proceedings</li> <li>○ necessity to reform the insolvency system.</li> </ul> </li> </ul>
22/10/2014	Shēma pie Ķīšezera / A scheme by lake Kiseszers	<ul style="list-style-type: none"> <li>• An investigation on a concrete ‘scheme’ of insolvency procedures where Aigars Lūsis, the secretary-general of National Alliance (one of the governing parties of Latvia), and parliamentary secretary of Ministry of Justice, was involved. This case contained blatant conflicts of interests by insolvency administrator. In addition, Aigars Lūsis as a state official had not declared several million euros that were used in this transaction</li> <li>• Journalist observed that the system of control over the insolvency process was weak– besides political oversight over insolvency was in hands of political party whose secretary-general is the aforementioned Aigars Lūsis.</li> </ul>
26/11/2014	Tiesu korupcijas aisbergs / Iceberg of court corruption	This investigative article focused on suspicious decisions by several judges and on their various links with ‘cooperatives’ of administrators of insolvency proceedings.

## 2. Description of the role of journalist/media in corruption case

There are three main roles of media that are relevant in context of this case study: 1) initiator; 2) reporter; 3) inactive.

### *Magazine IR as an enforcer/initiator of the corruption story*

In autumn 2009 several journalists, including editor in chief, left the influential daily newspaper Diena. There were two reasons cited for leaving Diena: 1) Lack of clarity on the new owners of Diena, 2) proposed new business model would threaten the quality of Diena’s editorial work.

Former Diena journalists and editors launched a weekly magazine IR in April, 2010. Indra Sprance, the author of investigative articles explored in this case study, was part of the new team – by then, she was an experienced journalist who had been reporting on politics since 2001.

Several factors were crucial in the process of conducting journalistic investigation of the schemes of administrators of insolvency proceedings:

- ✓ **Editorial independence, prioritisation of issues and work culture within the media outlet.** Magazine IR prioritises quality investigative research, that is why the journalist’s

interest in pursuing corruption stories in insolvency sector was approved by the editor-in-chief. Even though the financial resources of magazine IR do not allow to ‘free’ the schedule of a journalist for prolonged time, Indra Sprance was encouraged to focus on her investigations by lightening her overall workload. IR’s editorial culture encourages journalistic exploration of leads that might turn into stories in a distant future: even a year later. Following the first articles, an editorial decision was made to focus not so much on exposing an increasing number of corruption ‘schemes’ but rather to focus on the root of the problem – namely, on the corruption in the courts (corrupt judges as the key precondition for corrupt insolvency schemes being successful).

- ✓ **Experience.** Indra Sprance’s interest in issues of insolvency administration grew out of two observations that were not mutually linked: 1) one particular insolvency case where a person who had been associated with organized crime had managed to get rid of his debts, 2) rise in prominence of political party National Alliance that was part of the governing coalition since 2011, and one of its ‘shadow’ leaders Aigars Lūsis, an administrator of insolvency proceedings. When exploring those issues, she encountered reluctance of people involved in insolvency procedures to openly discuss their experience; off-the-record, though, they disclosed plenty of information that helped to make sense of corruption in insolvency sector. Following the first article in September 12, 2011, an increasing number of people agreed to openly talk on the subject matter.
- ✓ **Support.** Two forms of support to the journalist were especially important:
  - Help from the editorial team – editor, visualisation expert – in making a difficult story more comprehensible to the general audience. For example, the second investigative article (of September 19, 2011) included several examples of the corruption schemes in insolvency sector boiled down to their very essence; it also included a list of six principal problems in the sector that makes the soil ripe for corruption.
  - Legal advice on whether the articles might cause unjustified injury to someone’s dignity and reputation or contain slander (journalists of IR could consult with a lawyer who specialized in these subject matters). Careful checking of the stories proved crucial because two lawsuits were brought against IR and Indra Sprance as a result of the investigative articles on insolvency procedures (for more information on the lawsuits, see below the ‘discussion’ subchapter).

### *Media as a reporter/facilitator of a corruption story*

Continuing the editorial work culture of the former Diena newspaper, the magazine IR prioritised not only the investigation of corruption as a topic, but a careful integration of investigative discoveries with the follow-up reporting of the media outlet – both the magazine IR and its website – across a variety of formats, for example, news reporting, editorials, interviews.

### *News reporting*

Each investigative article in magazine IR was digested into a news story for the website – each news story was deliberately focused on the principal discovery of the investigation. For example, the investigative article ‘Travelling circus’ of April 3, 2013 was published as a news story ‘Research indicates that businessmen change courts in order to solve their problems’ on April 4, 2013. Investigative article ‘A scheme by lake Kisezers’ was published next day as a news story ‘Lūsis takes part in a transaction worth millions, but his public officials’ declaration on financial status tells nothing on this.’

News reporting of IR website also focused on:

- ✓ Collecting reactions from state institutions that were in charge of controlling the legality of insolvency sector and checking state officials’ declarations on their financial status. For example, the State Revenue Service - following several weeks’ correspondence with IR - admitted that a certain financial transaction of parliamentary secretary Aigars Lūsis that had been exposed as non-disclosed by magazine IR in 2014, should had been disclosed in his public officials’ declaration on financial status. Subsequent developments (investigation, fines, etc.) were also reported.
- ✓ Follow-up reporting on political and legislative developments that reacted to problems investigated by the magazine. For example, news reporting of IR website followed closely all happenings in the parliament relating to new legislative proposals on insolvency procedure. IR magazine and website also reported on internal developments in National Alliance, the political party that was most closely linked with administrators of insolvency proceedings – for example, the general secretary of this political party stepped down from this office shortly after an investigative article on his suspicious transactions appeared in IR magazine.
- ✓ Disclosure of new facts, data and research that exposed problems in insolvency sector. For example, on March 19, 2015 there was a news report on an audit report by the State Audit Office of Latvia. That investigation had concluded that Latvia loses hundreds of millions of euros annually in insolvency proceedings. As a result of this audit report, State Audit Office

asked the prosecutor’s office to investigate the work of 13 administrators of insolvency procedures.

### *Interviews*

Part of IR’s mission is consistent with a new, emerging paradigm in journalism – constructive journalism. Constructive journalism focuses not just on exposing problems, but also on proposing solutions (Haagerup 2014)<sup>7</sup>. Magazine IR made an editorial choice to ask reactions/possible solutions to the problem of corruption in insolvency sectors to all high-profile representatives of judicial sector who were interviewed by the magazine. Table 3 provides a summary of such interviews.

**Table 3: IR’s interviews with representatives of judicial sectors**

<b>Date of interview</b>	<b>Interviewee</b>	<b>Insolvency related questions (summary of context)</b>
08/11/2012	Jānis Bordāns, Minister of Justice	Problems and reforms of insolvency sector
04/04/2013	Jānis Bordāns, Minister of Justice	Problems and reforms of insolvency sector
08/05/2013	Dāvis Stalts, the head of parliamentary investigation committee on Ķemeri sanatorium	Reforms of insolvency sector; Political aspects of the reform
07/11/2013	Janis Bordāns, Minister of Justice	Political pressure in context of reforming insolvency system
04/12/2013 – 06/12/2013	Interviews with three candidates for the office of head of Riga District Court	Corrupt interactions between insolvency administrators and judges, reform proposals
18/12/2013	Interview with the former president of Latvia Vaira Vīķe-Freiberga	Corruption in insolvency sector and political backing for corruption mentioned as one of the causes of change in government
09/01/2014	Interview with the new Prime Minister Laimdota Straujuma	A question on political backing for insolvency system reform
22/01/2014	Interview with the prosecutor general Ēriks Kalnmeiers	A question on the links between administrators of insolvency procedures and judges
07/02/2014	Interview with the new Minister of Justice Baiba Broka	Problems and reforms of insolvency sector
21/05/2014	Interview with the new head of Constitutional Court Aldis Laviņš	A question on corruption in insolvency sector
24/08/2014	Interview with the leader of the Prime Minister’s party Solvita Āboltiņa	A question on political oversight over insolvency policy
31/10/2014	Interview with the Minister of Justice, Dzintars Rasnačs	Problems and reforms of insolvency sector
15/04/2015	Interview with the main candidates for the office of the head of Supreme Court of Latvia	Questions on interactions between administrators of insolvency procedures and judges
13/01/2016	Interview with the new Prime Minister Māris Kučinskis	A question on political oversight over insolvency policy

<sup>7</sup>In order to learn more about constructive journalism, see <http://constructivenews.eu/>

### *Editorials, comments, opinions*

In order to highlight the problems of insolvency sector that were illuminated by IR's investigative articles and to find their solutions, IR used not only the interview format, but also the comment/opinion section of the magazine and website.

For example, IR published several editorials (by Nellija Ločmele, Aivars Ozoliņš, Pauls Raudseps, Indra Sprance) on the following subject matters: 1) editorial decision to cover corruption in insolvency sector; 2) influence of administrators of insolvency procedures on politics in Latvia, 3) retribution against IR magazine for its investigative work on insolvency procedures (when a court decided to freeze the assets of the magazine, for additional information see the *discussion* subchapter); 4) the rise in prominence of the issue of insolvency sector corruption in the political agenda.

Additionally, IR website published opinions/comments by investors, lawyers, auditors on the problems in insolvency sector and on their possible solutions/

### *In-depth articles (features)*

In addition to investigative articles that uncovered new facts and to regular news reporting, IR magazine published several in-depth follow-up articles to the issues that were previously covered by the magazine (Table 4). The author of those articles was Indra Sprance.

**Table 4: IR features on corruption in insolvency sector**

<b>Date</b>	<b>Title</b>	<b>Subject matter</b>
06/11/2013	Nevēlamais/ The One Unwanted	Jānis Bordāns, Minister of Justice who had become 'unwanted' in his own political party following his proposals regarding insolvency system reform
01/10/2014	Cīņa ar pūķi/ Fighting the dragon	New amendments to insolvency procedure that introduced several solutions to problems that were previously identified by IR
21/01/2015	Izspruks vai nē? / Will he manage to escape or not?	Investigations of state institutions over transactions of Aigars Lūsis, the former parliamentary secretary of Ministry of Justice and secretary general of National Alliance
25/02/2015	Lūsis slazdā/ Lūsis in the cage (wordplay: <i>lūsis</i> is a lynx in Latvian)	Investigations of state institutions over transactions of Aigars Lūsis
25/10/2015	Miljardi izkūp/ Billions are vanishing	Report on the investigation of the auditor company Deloitte that indicated that Latvia loses around 1 billion euros a year due to faulty insolvency procedures
18/05/2016	Gali ūdenī? / No proof?	Follow-up article to the investigative article of 22/10/2014 'A scheme by lake Kisezers' – some additional facts, report on the status of investigation.



### *Reporting by other media*

There were very few other media outlets that reported on the findings of IR magazine to their own audiences, - reasons for this oversight are explored in more detail below. Some of the episodic coverage that did appear was focused not so much on the facts uncovered by the magazine, but rather used the expertise of the investigative journalist Indra Sprance in order to make sense of the more general issues that related to corruption in insolvency sector.

- ✓ Investigative program De Facto on public television LTV1 (20/10/2013) focused on a by-decision by Constitutional Court where the court had asked the Office of the Public Prosecutor to investigate suspicious actions of an administrator of insolvency proceedings and a judge. Indra Sprance, IR journalist, was introduced in this report as a journalist who has been a long-time researcher of insolvency sector; she was asked to comment on the story. Report by De Facto was later turned into a news story for the website of public broadcaster lsm.lv.
- ✓ Discussion program Tiešā Runa (Direct Speech) on Public Television LTV1 that was dedicated to corruption in insolvency proceedings (01/06/2016). Journalist Indra Sprance was invited as one of discussants due to her investigative articles on the subject matter.
- ✓ Discussion on integrity issues in insolvency proceedings on public radio Latvijas Radio 1 (03/06/2016). Journalist Indra Sprance was asked to comment on this issue as an expert on the subject matter.

### *Media as being inactive/lazy in context of a corruption story*

There are very few references to Indra Sprance's investigative work on insolvency sector in the archives of the press in Latvia<sup>8</sup>. The few existing references produce only two contexts where some limited reporting appears:

- ✓ Litigation between administrators of insolvency procedures and magazine IR
- ✓ Nominations for media excellency awards for Indra Sprance.

Such an inaction on the part of other media outlets seem surprising, taking into account the 'pack journalism' culture of Latvian media: where almost all the principal media report on the same stories and where even the corruption stories appearing in *kompromat* portals are often cited in daily newspapers (see Case Study 3).

Such an unusual silence around IR's reporting prompted Anda Rožukalne, one of the most prominent media analysts in Latvia, to publish an article on the public broadcasters' website lsm.lv

---

<sup>8</sup>In Latvia there are two main internet sources that have a functionality which enables searching through the archives of the majority of press outlets – leta.lv and news.lv

where she characterizes the investigative article of 22/10/2014 as being of the highest standard. Then the media expert inquires<sup>9</sup>:

*“There is a deadening silence around this article. Why are other media silent on this? ... Indra Sprance’s article is so full of information that every section would allow for a number of news stories, for opportunities to ask questions to those involved, to communicate with state officials, to start new discussions. This is the way how contemporary investigative journalism develops – other media outlets continue and develop the stories that were asked by some author or some team. The previous media competition paradigm - where discoveries of others’ are ignored – is no longer workable, because it is important to combine all available resources for investigation and to unite the audiences of different media. And it does happen like this. Just not this time.”*

Research on this case study included a question to editors and investigative journalists on the editorial criteria for choosing to report and follow up to stories that originated in other media. The following reasons were cited as probable explanations on why media in Latvia were largely ignoring investigations of IR on insolvency proceedings for a number of years:

- **Complexity of the subject matter.** Even the editors of some influential media in Latvia did not feel that they have a good grasp on the subject matters dealing with insolvency procedures, so they could not ask their journalists to do some targeted follow-up work on those.
- **Difficulties in explaining the subject matter in a short (video) format.** The corruption schemes unmasked by IR magazine were relatively complicated and required attentive concentration on the part of their audience – such content was particularly difficult to translate for television.
- **Personal attitudes towards magazine IR.** Some of the respondents hinted that one of the reasons for not reporting the findings of IR investigative reports to their own audience were strained personal relations between editors/journalists representing IR and most of media community in Latvia, especially during the first years of IR’s existence. If the investigation had been conducted by, for example, some investigative TV program, it might have been covered more widely across other media outlets.
- **Fear of retaliation and media corruption.** Even though no respondent produced clear proof of the allegation, several respondents did mention influence of insolvency administrators over some media, thus preventing them reporting on the sector. Several respondents also mentioned fear of retribution coming from the public relation smear campaigns that were led against politicians and lawyers who had tried to change the insolvency system. For example, in 2011 such a campaign, linked with *komproamat* portal

---

<sup>9</sup><http://www.lsm.lv/lv/raksts/arpus-etera/anda-rozhukalne-klusuma-spirale-petnieciskas-zhurnalistikas-dzil.a104316/>

pietiek.com (see Case Study 3), was led against the Minister of Justice Aigars Štokenbergs and, in 2015, against lawyer Indulis Balmaks.

### 3. Discussion

Investigative journalism of magazine IR on corruption in insolvency proceedings had a high impact on three different levels: 1) raising the prominence of the topic; 2) adoption of legislative amendments by the parliament; 3) political prominence.

Even though few media referred directly to Indra Sprance's investigative articles, those articles contributed to the surge of interest in the issue in 2012-2014 (see Figure 1) and they were fundamental factor that encouraged a variety of organisations to talk openly on the subject matter.

They also had a high impact on legislation. Both the Minister of Justice Jānis Bordāns and the head of parliamentary Legal Affairs Committee Ilma Čepāne had read the articles and the information contained in those articles had been helpful in elucidating clearly the problems of the insolvency regulation<sup>10</sup>. IR's insistent and long-term follow-up to investigative articles via, for example, interviews with top politicians helped to raise their awareness on the subject matter, to prepare reform proposals and to push them through the parliament in 2014. In a small country, such as in Latvia, insistent investigative activities by journalists might have a large impact: another similar case was mentioned by respondents for this research - mastering of the political will for reorganisation of State Revenue Service in spring 2016 had arisen as a consequence of investigative reporting by LTV1 journalists on the wealth of the employees of this Service in the beginning of the year.

IR's articles also had a political impact: shortly after the investigative article on Aigars Lūsis appeared in October 2014, he resigned from the office of Secretary General of National Alliance – even though Aigars Lūsis denied the link between the events, the timing does not seem likely to have been a pure coincidence. Part of the reason why former Minister of Justice Jānis Bordāns and an MP Dāvis Stalts decided to form a new political party can be explained as a consequence of them learning about the links between insolvency administrators and political party National Alliance.

Journalistic merits of the work of Indra Sprance in context of corruption investigation in insolvency sector were recognized twice by journalistic community: in 2013 Latvian Journalist Association nominated three of her articles for journalistic excellence award (category: investigations/analysis) and in 2015 she won the award for the article 'A scheme by lake Kisezers'.

---

<sup>10</sup>E-mail correspondence with both former politicians in May 2016

There were three main factors which explain why investigative reporting by IR magazine was possible: 1) experience of the investigative journalist; 2) editorial prioritisation of corruption-related issues; 3) support system to the journalist.

In order to ascertain, whether similar conditions exist in other media in Latvia, editors, other investigative journalists and media experts were asked a set of questions on investigative journalism in context of corruption.

Responses indicated that both the conditions and general views on the state of investigative journalism in Latvia vary substantially. Opinions fluctuate from highly pessimistic ('There's no true investigative journalism in Latvia – at best, there is only an in-depth analysis of certain problems') to optimistic ('Things have never been better – there are more investigative/analytic journalists than ever before working across the media spectrum, on TV, radio, writing for written press and internet'). Almost all respondents state that they or their editors would prioritise corruption stories if they had credible leads.

Nevertheless, there are certain problems common to the state of Latvian investigative journalism than in one way or another are common across the media outlets:

- ✓ Relatively few experienced journalists are capable of investigating a highly complex corruption story, and there are relatively few editors who not only in words, but also in real life would prioritise the necessity of an in-depth investigative reporting. Additionally, few editors have capacity/interest to formulate a longer-term editorial vision and implement it across the variety of products (discussions, interviews, news reporting) within their media outlet.
- ✓ Few media have any scope to lighten their journalists' daily workload for in-depth investigations. Only some had any capacity to think on potential stories beyond a time-frame of several weeks and flexibility to wait before publishing/reporting a story in order to do some additional investigation/ fact-checking.
- ✓ Only some investigative journalists work in a context of a team – for example, they have a colleague who could double-check the information provided by a source among his/her own informers or do some other additional investigation.
- ✓ Even though investigative journalists in Latvia do tend to have access to quality legal advice, the slander, misinformation court proceedings are sometimes time consuming and stressful. They can also ruin a media outlet financially. Such was almost the case when in summer 2014 a court decided to freeze the assets of magazine IR as a collateral for a case that was initiated by insolvency administrator Māris Sprūds for injury to his reputation and dignity in articles described in this case study. This decision was condemned by the board of Latvian Journalist Association and by OSCE Representative on the Freedom of the Media Dunja Mijatovic. The

editor in chief of IR magazine wrote a letter to the Parliament of Latvia stating the need to change the law in order to prevent such decisions that endanger media freedom – the parliament of Latvia did change the Civil Procedure Law on September 11, 2014 and the regulation entered into force on November 1, 2014. Until now IR has won all the court proceedings that were brought against the magazine for its reporting on insolvency administrators.

- ✓ Difficulties in reaching the audience of those media that for a variety of reasons (for example, interests of owners, unprofessional editors, direct media corruption, fears of retribution from people involved in the story) are either apathetic or hostile to some corruption-related investigative research. Several respondents cited the advertising contracts that are distributed by municipal companies of the city of Riga to various media outlets as an important reason why media that receive such contracts avoid publishing compromising information on corruption in Riga.

Nevertheless, there are some encouraging trends appearing regarding media work in Latvia on corruption-related issues: firstly, investigative journalists are more and more frequently asked to comment on some story or take part in a discussion that is organized by some other media outlet, thus sharing their findings with an audience that might be different from that of the media outlet where the investigative findings were first published. Secondly, a non-governmental organisation *Re:Baltica* (founded in 2011 and uniting several investigative journalists) is experimenting with publishing its findings simultaneously across various media outlets: such an arrangement allows the organisation to make partnership agreements with, for example, an internet news portal, a written press outlet and a TV station that do not compete among themselves and that are guaranteed to publish *Re:Baltica*'s new investigations, and to do some follow-up reporting on those. Additionally, this method permits to use the potential of quality freelance investigative journalists who are not employees of a particular media outlet. When resources are pooled together in such a manner, an in-depth investigation on some subject matters that seemed prohibitive some time ago (because of the influence of wealthy advertisers on editorial policy in some key media) may turn out to be possible.

## Media reporting on Jurmalgate

The in-depth content analysis of the 2004-2013 corruption coverage of four Latvian newspapers – Diena, NRA, Latvijas Avīze, Dienas Bizness – through Human-Assisted Content Analysis (HACA) conducted under ANTICORRP research project indicated that Jurmalgate was by far the most covered corruption story in this timeframe (Table 5). Random article selection produced a sample of 1148 articles where corruption was a prominent (non-marginal) topic, - 46 out of 1148 articles covered the Jurmalgate scandal. It was the most covered corruption story in three out of four newspapers.

**Table 5: Number of articles in HACA sample of 4 Latvian newspapers dealing with corruption stories**

<i>Corruption story</i>	<b>Diena</b>	<b>Dienas Bizness</b>	<b>LA</b>	<b>NRA</b>	<b>Total</b>
<i>Jurmalgate corruption story</i>	17	5	14	10	46
<i>Investigation and trial of the mayor of Ventspils Aivars Lembergs</i>	10	6	2	9	27
<i>Lost money of anti-corruption agency KNAB</i>	8	1	5	4	18
<i>Scandal in Development Department of Riga</i>	3	9	2	4	18
<i>Struggle between head of anti-corruption agency Aleksejs Loskutovs and Prime Minister Aigars Kalvītis</i>	3	1	5	5	14
<i>Latvenergo corruption case</i>	4	4	3	2	13
<i>Proposals to regulate bribes/gratitudes to doctors</i>	5	-	6	1	12
<i>Choosing the head of anti-corruption agency in 204</i>	4	2	1	4	11
<i>Vaškevičs case</i>	6	1	2	2	11
<i>Munkevics case</i>	4	2	1	4	11
<i>Riga Free Port scandal</i>	3	1	3	3	10
<i>“Positivism campaign” (violations of campaign finance restrictions in 2006)</i>	3	3	4	-	10

This case study was selected for further analysis not only for its prominence, but also because it reveals the hidden complexities behind three of typologies of the common research framework on the interaction between media and corruption. As will be seen in the further analysis it is not always easy to tell in which of the following three categories the media reporting on Jurmalgate falls:

- Media as a reporter/facilitator of a corruption story

- Media as actively corrupted/collaborator
- Media as being inactive/lazy in context of a corruption story

Two main methods were used for the analysis. Firstly, content analysis of Jurmalgate coverage in Latvian newspapers, particularly during the first weeks after the scandal had broken out. Secondly, an interview with the investigative journalist who had broken out the scandal.

## 1. Context

Jurmalgate (Latvian: Jūrmalgeita) is a label that combines two words: *Jurmala* and *-gate* (following Watergate). This label has been given to the attempt to corrupt the process of selecting the mayor of Jurmala, a wealthy sea-side resort in Latvia. As the scandal spans a number of years and includes many actors, it makes sense to organize the basic facts in chronologic order (Table 6).

**Table 6: Chronology of Jurmalgate, main events**

Date	Events
<i>(until) 18.03.2005</i>	<p>Following the municipal elections in Latvia, the newly elected municipal assembly of Jurmala needs to elect a new mayor of Jurmala.</p> <p>One of the members of newly elected assembly Ilmārs Ančāns is offered a bribe of 20 000 euro so that he votes for Juris Hlevickis, representative of Latvia's First Party (at that time a party represented in the national government).</p> <p>Ilmārs Ančāns informs the anti-corruption agency KNAB about this offer – KNAB's investigators wiretap conversations of the suspects and are present when the bribe is being transferred. The direct briber is another member of Jurmala municipal assembly Gvido Harijs Volburgs (political party Jaunais Centrs). Money to Volburgs is given by Leonīds Lasmanis who is Volburg's party member and another member of Jurmala municipal assembly. Money originates from Germans Milušs, a local millionaire.</p> <p>KNAB informs the public that it has detained two persons in connection to bribery in Jurmala mayor elections. In subsequent days some information is released on the nature of the crime.</p>
<i>23.02.2006</i>	<p>Investigation on the corruption case is finished, the public prosecutor sends the case to the court.</p>
<i>12.03.2006</i>	<p>Almost a year following the scandal, De Facto, an investigative program on public television LTV1, broadcasts phone conversations of the people involved in the bribery scandal that were tapped by KNAB in 2005. Those phone conversations were part of an investigation file sent to the court.</p> <p>It turns out that two prominent national level politicians have taken part in the conversations with the suspects. It is, firstly, Ainārs Šlesers, the leader of the First Party and the Minister of Transport. Secondly, it is Andris Šķēle, the former Prime Minister and one of the most influential persons in the politics of Latvia of 2006 (People's Party). The content of the phone conversations seems to suggest that they knew about the attempt to bribe Ilmārs Ančāns, but the evidence is</p>

	inconclusive
15.03.2006	Prime Minister Aigars Kalvītis (People's Party) asks Minister of Transport Ainārs Šlesers to resign due to loss of public confidence
15.05.2006	Start of court proceedings
2007-	<p>First court rulings:</p> <ul style="list-style-type: none"> <li>• Juris Hlevickis is sentenced to 5 years in prison and loses his office of the member of Jurmala municipal assembly</li> <li>• Gvido Harijs Volburgs is sentenced to two years on probation – the sentence is lenient, because Volburgs had admitted his crime</li> </ul> <p>Germans Milušs and Leonīds Lasmanis have ran away from Latvia and they are still being searched for by police</p> <p>The main topic of the public discussion around Jurmalgate was the involvement of high profile politicians who used highly cynical language during their phone conversations, for example, on necessity to appoint the 'biggest cretin' as the deputy to the mayor of Jurmala. Although there were several attempts during investigation/court proceedings to ascertain the true nature of the role that Ainārs Šlesers and Andris Šķēle had played regarding the bribery, there was not sufficient evidence to bring charges.</p>

## 2. Description of the role of journalist/media in corruption case

Ilze Jaunalksne, journalist of De Facto, is the enforced/initiator of the story. Discernment between roles played by other media in covering Jurmalgate is more problematic.

### *De Facto as an enforcer/initiator of the corruption story*

According to Ilze Jaunalksne, she knew that there was something potentially explosive in the investigative documents of Jurmala bribery case that had been sent to the court, but she did not know any specifics on their contents. Therefore, she sought access to those documents through people who were accused for the crime and who, therefore, had access to all the investigative documents of anti-corruption agency KNAB. One of them allowed her to have a look and to later copy the documents – including the transcripts of the wiretapped phone conversations.

At this point she needed to balance two imperatives:

- 1) Imperative to publish the phone conversation in her TV program De Facto as soon as possible, taking into account that soon, when the public court deliberations start, all journalists will be able to access those conversations, and De Facto will not have an exclusive scoop.
- 2) Observance of the principles of responsible journalism. At this point it was clear to Ilze Jaunalksne that the taped conversations needed to be published – it was in the public interest to expose the methods of vote-buying. Nevertheless, there was some uncertainty on the



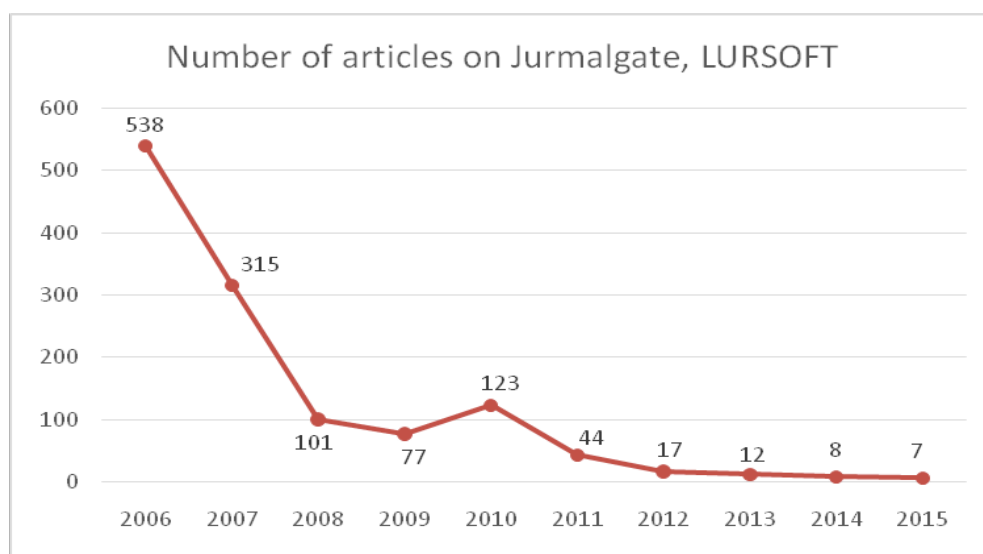
extent and manner of publishing, therefore Ilze Jaunalksne consulted with her colleagues in De Facto team. The principle that De Facto tried to follow when first publishing the phone conversations was the public interest test – specifically, the selection of the conversations: a) needed to be in the public interest, b) should not constitute an interference with investigation and c) should not be an unjustifiable violation of someone’s privacy. For this reason, De Facto team consulted a lawyer and also informed the public prosecutor about the forthcoming broadcast.

During the subsequent broadcasts, De Facto chose to publish all the conversations that had been sent by the Prosecutor’s Office to the court: this was deemed necessary after the program had encountered allegations that the journalists had distorted the context of those conversations or tried to hide some conversations for political reasons.

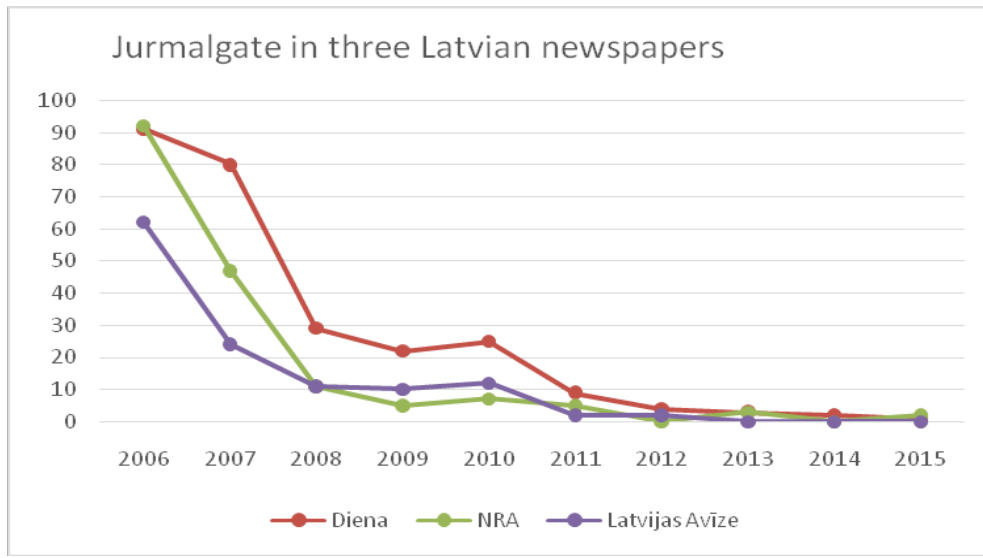
*Other roles played by journalists in covering Jurmalgate: general trends*

Figure 3 and Figure 4 summarizes the trends of coverage of keyword ‘Jurmalgate’ in Latvian newspapers during 2006-2015. Figure 3 covers the Lursoft database of media archives (principal Latvian language national and local level newspapers, as well as BNS news agency news stories). Figure 4 focuses on three Latvian daily newspapers that were also analysed through HACA within the framework of ANTICORRP research (see above). The figures illustrate the same trend: a very high coverage in 2006, followed by substantial interest in 2007 and then by gradually dwindling public interest in this story.

**Figure 3: Media coverage of Jurmalgate 2006-2015, LURSOFT archives, keyword Jūrmalgeit\***



**Figure 4: Coverage of Jurmalgate in 3 newspapers 2006-2015, keyword Jurmalgeit\***



In order to ascertain whether there were editorial differences in Jurmalgate coverage/framing, the author of this study undertook an in-depth content analysis of 7 daily newspapers during the first days of the scandal. This analysis covers 4 Latvian language newspapers (Diena, Latvijas Avīze, NRA, Dienas Bizness) and three Russian language daily newspapers (Vesti Segodna, Cas, Telegraf). The phone conversations were broadcasted by De Facto late in the evening on Sunday, March 12, 2006 which meant that the first day when newspapers could report on the scandal was Tuesday, March 14.

**Table 7: Prioritisation of Jurmalgate stories for the first page reporting, dates of March (14-31), 7 daily/semi-daily newspapers<sup>11</sup>**

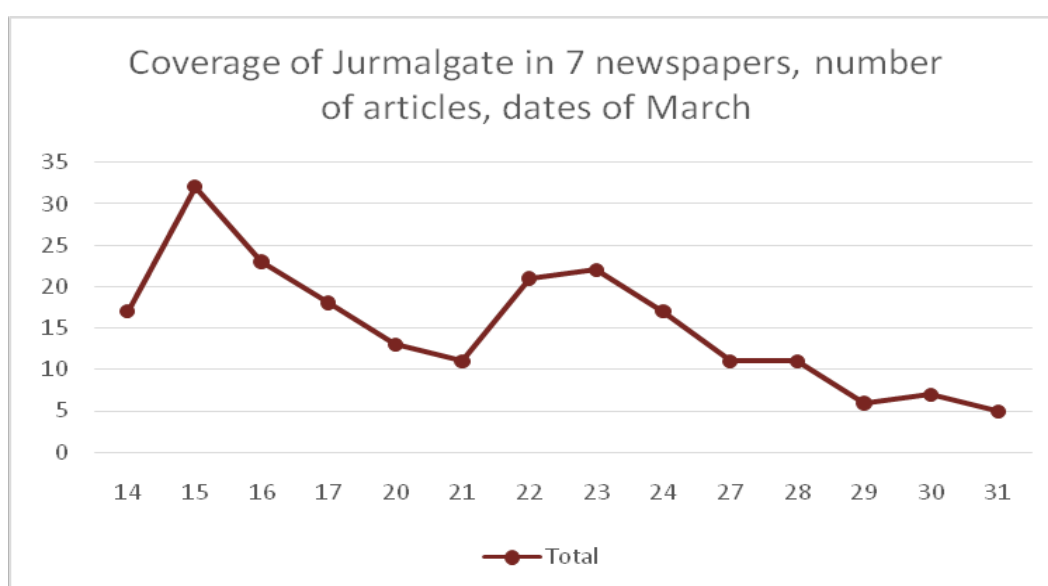
Newspaper	14	15	16	17	18	20	21	22	23	24	25	26	28	29	30	31
Diena	X	X	X		X	X	X	X						X	X	
Latvijas Avīze			X			X			X							
NRA	X	X	X	X	X	X	X	X	X	X	X		X		X	X
Vesti Segodna	X	X	X							X						
Cas	X	X	X			X	X	X								
Telegraf		X	X		n/a	X	X	X	X		n/a					
Dienas Bizness			X		n/a						n/a					

<sup>11</sup> X signifies that at least one Jurmalgate related story was published on the first page of the newspapers. Blank space signifies that no story was published on the first page. N/a means non-applicable, the newspaper was not published on that date at all.

Table 7 indicates that two newspapers – NRA and Diena – considered Jurmalgate scandal to be so prominent that they made an editorial decision to keep information on the story as a first page news story for the major part of March. No other newspaper kept the story on its first page during the third week of the scandal. Nevertheless, all the daily newspapers had Jurmalgate as a front page news story at least once during March.

Newspapers followed different strategies when covering Jurmalgate – this is clearly visible when comparing Figure 5 (combined number of articles on Jurmalgate for 7 newspapers) and table 8 (number of articles in each of the newspapers separately).

**Figure 5: Combined number of articles on Jurmalgate in 7 daily newspapers during March 2006 (except Saturdays and Sundays)**



**Table 8: Number of articles on Jurmalgate in each of 7 daily newspapers during March 2006 (except Saturdays and Sundays)**

Newspaper	14	15	16	17	20	21	22	23	24	27	28	29	30	31	Total
Diena	8	5	5	6	3	2	3	3	4	2	2	4	4	2	53
Latvijas Avīze	3	4	4	5	2	1	5	3	3	0	3	0	0	0	33
NRA	3	6	4	2	1	1	5	5	2	5	2	2	2	0	40
Dienas Bizness	1	4	3	1	1	0	2	1	0	2	1	0	0	1	17
Cas	1	8	4	1	4	3	3	7	3	1	1	0	1	1	38
Vesti Segodna	1	1	0	2	0	1	1	2	3	1	1	0	0	1	14
Telegraf	1	4	3	1	2	3	2	1	2	0	1	0	0	0	20

Even though it prioritised Jurmalgate as a first page news story less frequently than newspaper NRA, newspaper Diena was the first to report massively on Jurmalgate scandal (8 articles during March 14), and it produced the largest number of articles overall during this time period. Among Russian language newspapers, Cas had the highest interest in Jurmalgate, publishing more than twice as many articles as compared to Vesti Segodna and Telegraf.

#### *Framing the narratives of Jurmalgate: 7 different stories*

Even though all the Latvian daily newspapers covered Jurmalgate extensively during the first few weeks after the scandal had broken out, the narratives varied extensively. At the one end of the spectrum was newspaper Diena that took a stance that the scandal was outrageous and there should be political consequences for politicians involved (activist position), and at the other end of the spectrum was NRA that initially was trying to ‘kill’ the scandal or frame it as being unimportant. Other newspapers were on different points across this spectrum.

#### *Coverage of Diena*

Position of Diena as evidenced by its coverage during the first few weeks after Jurmalgate story broke out was as follows: this is an important and shameful political scandal, therefore everybody is required to condemn it and politicians involved need to suffer consequences immediately. Additionally, political parties need to have a plan of action in order for such a scandal never to occur again.

Of all the 7 newspapers, Diena dedicated the highest number of articles to Jurmalgate scandal, trying to frame its activist position on the scandal from the very outset. The main messages in the 14 editorials (more than twice as many as any other newspaper published during this time period) of the newspaper from March 13-March 21 were the following:

- ✓ The scandal should have political consequences. In particular,
  - The ‘big fishes’ – former Prime Minister Andris Šķēle and Minister of Transport Ainārs Šlesers - should not get away easily (editorials on 14<sup>th</sup>, 16<sup>th</sup>)
  - Minister of Transport, leader of the First Party Ainārs Šlesers must resign (editorials on 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup> of March)
  - First Party should be thrown out of government (16<sup>th</sup> of March)
  - People’s Party must decide whether their former leader Andris Šķēle can stay in their party following the scandal (editorials on 14<sup>th</sup>, 16<sup>th</sup>, 18<sup>th</sup>, 21<sup>st</sup>, 28<sup>th</sup> and 31<sup>st</sup>)
  - Political party Jaunais Laiks should repay the donation that was donated to it by Germans Milušs, the person involved in the scandal (editorial of 15<sup>th</sup> of March)

- It is unacceptable that Juris Hlevickis is still a member of Jurmala municipal assembly (18<sup>th</sup> and 21<sup>st</sup>)
- All political parties should state that political corruption is unacceptable (15<sup>th</sup> of March)
- ✓ This is an important scandal that shows the extent and shamelessness of political corruption in Latvia:
  - Corruption in Latvia is systematic (editorials of 14<sup>th</sup>, 16<sup>th</sup>, 21<sup>st</sup>, 25<sup>th</sup> and 28<sup>th</sup> of March)
  - This scandal will influence the results of elections (15<sup>th</sup> of March)
- ✓ Circumstances that led to wiretapped phone conversations being published prior to court deliberations is NOT an important subject matter (14<sup>th</sup>, 15<sup>th</sup> and 17<sup>th</sup> of March).

Later, reacting to coverage by other media, there were two new editorial messages: 1) it is ridiculous to allege that publication of phone conversation was a political PR campaign (March 16<sup>th</sup>, 17<sup>th</sup>), 2) the scandal had lifted higher the bar of ethics in Latvian politics, because almost all the politicians involved in Jurmalgate scandal had by then suffered some negative political consequences (March 24<sup>th</sup>, 28<sup>th</sup>).

In its news coverage Diena focused on explaining the context of the leaked conversations and on exploring their judicial and political repercussions. In its analytical reporting Diena came up with four features on lesser known personalities who were part of the scandal (Milušs, Bašarins, Polikevičs, Lielupe port officials).

Diena organized two expert surveys on the consequences of Jurmalgate scandal, posing the question as follows: What is your opinion on the news story that indicates that influential politicians were possibly linked to political corruption in Jurmala (March 14<sup>th</sup>)? What politicians should do in order to eliminate political corruption (March 18<sup>th</sup>)?

On March 15<sup>th</sup> Diena published 18 brief readers' comments under a title "Shame! Get away from politics!". On March 18<sup>th</sup> Diena published responses of all the leaders of parliamentary factions to questions relating to consequences of Jurmalgate<sup>12</sup>.

### *Coverage of NRA*

Evidenced by NRA's coverage during the first days after Jurmalgate story broke out, the position of this newspaper was almost just as active, but in its content totally different to that of Diena. In its

---

<sup>12</sup>Question 1. Will your political party come up with a public statement condemning the bribery in the elections of Jurmala mayor? Question 2. What is your political party going to do in order to prevent political corruption in its attempts to gain power?

first news coverage NRA stressed three points: 1) the legality of tapping phone conversations is highly suspect; 2) Jurmalgate scandal might endanger the government; 3) Jurmalgate might be a political game in the interests' of some political party.

News coverage matched the opinions stated by the NRA columnists. Among the most prominent ideas were the following:

- ✓ Message of relativizing the scandal ('killing the story'):
  - Politics is dirty everywhere – Latvia is not an exception (March 14<sup>th</sup>, 15<sup>th</sup>)
  - Vote buying has always been part of Latvian politics, so the story is not newsworthy (March 24<sup>th</sup> and 27<sup>th</sup>)
  - All the political parties are the same – no one is better or worse than the rest (March 16<sup>th</sup>)
  - Changes in government by means of political resignations: that is only a pre-election populism (March 18<sup>th</sup>)
  - People are not really interested in this story (March 14<sup>th</sup>)
  - Maybe the change in electoral system might help (March 15<sup>th</sup>, 31<sup>st</sup>)
- ✓ Delegitimising the story:
  - Jurmalgate conversations do not prove anything regarding Ainārs Šlesers and Andris Šķēle (March 15)
  - This political scandal is in the interests of political party Jaunais Laiks (18<sup>th</sup>, 22<sup>nd</sup>, 29<sup>th</sup>)

In contrast to other Latvian language newspapers, NRA did not specifically ask experts, political parties or readers to evaluate the scandal. Instead, it published three interviews with main personalities involved in the scandal (Germans Milušs on 16<sup>th</sup> of March, Ainārs Šlesers on 23<sup>st</sup> of March and with Andris Šķēle on 30<sup>th</sup> of March).

Even though it was denying the legitimacy of Jurmalgate scandal in its opinion columns, in its news reporting NRA shifted its editorial line after the first days of the scandal had passed – in its news reporting NRA admitted that on the local (city) level Jurmalgate is a legitimate corruption scandal. NRA published two in-depth articles on the suspicious activities of members of Jurmala municipal assembly (16<sup>th</sup> of March) and followed with some additional reporting on the events in Jurmala. Nevertheless, in its national level reporting the newspaper continued to insist that the political party Jaunais Laiks were using the corruption scandal in its political interests and that this party's role in the mayor of Jurmala elections was just as suspect as that of those political parties' whose conversations were wiretapped by KNAB.

### *Coverage of Latvijas Avīze*

Coverage of Jurmalgate in Latvijas Avīze was slightly more closely linked to that of Diena rather than NRA. In a manner similar to Diena, Latvijas Avīze initially covered the scandal widely, condemning the politicians who were part of the scandal. For example, on March 16<sup>th</sup> Latvijas Avīze published a survey that the newspaper had conducted among seven mayors of different municipalities – it was titled ‘Shameful and blameworthy’. By the end of the March Latvijas Avīze had published three digests of its readers’ views (March 14<sup>th</sup>, 16<sup>th</sup>, 22<sup>nd</sup>) that also included very strong condemnations.

Unlike Diena and in a similar way to NRA, the columnists of Latvijas Avīze framed the scandal as one of regularity, hinting that not much can be done in order to prevent such a scandal from ever happening again. The main messages that can be discerned via four opinion columns published in March 2006 are the following (none of those messages repeated itself):

- ✓ All political parties should state that political corruption is unacceptable, but at the same time it is clear that vote buying has been part of the ‘political system’ in Latvia (March 15)
- ✓ Political parties are using Jurmalgate scandal in their political games (March 17)
- ✓ People are not very interested in corruption stories- and that might be a good thing (March 20)
- ✓ People’s trust in political parties has been damaged, but it does not mean that it is time to reanimate the idea of state funding to political parties (March 24<sup>th</sup>).

When compared to Diena and NRA, Latvijas Avīze rarely publishes opinion columns, instead it chooses sarcastic texts (4 dedicated to Jurmalgate- March 15, 16, 22, 28) and cartoons (March 14, 17, 22, 28).

In its news reporting Latvijas Avīze diligently covered the political repercussions of Jurmalgate scandal, without taking sides on the subject matter. Overall its coverage of Jurmalgate might be characterized as passive – the newspaper informed its readers about the scandal and allowed its readers to express their outrage. At the same time Latvijas Avīze did not have a clear editorial position on the scandal that it would wish to convey to both its readers or to the political elite.

### *Coverage of Dienas Bizness*

Compared to other Latvian language newspapers, the business newspaper Dienas Bizness paid the least amount of attention to Jurmalgate scandal. In its news coverage this magazine was mostly interested in the political repercussions of the scandal, especially the changes in government.

The magazine only dedicated 3 opinion columns to the scandal. In their framing of the Jurmalgate, the columnists of Dienas Bizness were much closer to NRA than to Diena. They focused on delegitimizing the corruption scandal:

- Jurmalgate is a black PR/smear campaign - it is important to find out how private conversations could have been tapped and leaked (March 15)
- Jurmalgate conversations do not prove anything regarding Ainārs Šlesers and Andris Šķēle (March 15 and March 16)
- Jurmalgate as a scandal is being used in political games (March 16, March 22)

On March 15 Dienas Bizness published a survey of entrepreneurs framing the question “Kam tas bija vajadzīgs?” (Who needed this?)

During the second week of the scandal, Dienas Bizness focused more on covering the scandal at the local (Jurmala level) – the newspaper lost almost all interest in the story during the third week.

#### *Coverage of Cas*

Among the three daily Russian language newspapers in Latvia, Cas provided by far the most extensive coverage of Jurmalgate scandal during the first three weeks after it had broken out. During the first days of its news reporting it took a similar position to that of NRA – on March 14<sup>th</sup> the first page had a title ‘The big ear hears everything’, thus choosing the wiretapping aspect as a frame for Jurmalgate scandal. In a manner similar to Dienas Bizness, Cas in several articles was trying to highlight the point that someone had been trying to blackmail the Minister of Transport Ainārs Šlesers.

Cas and Vesti Segodna were two of the newspapers that did not have a strong borderline between news stories and opinions, that’s why it is hard to compare the journalistic formats of their Jurmalgate coverage to that of Latvian language media. Nevertheless, the newspaper produced 6 reports on Jurmalgate, where the editorial position is quite clear. It had the following main points whose content is similar to that of NRA:

- Most alarming issue for Russian language press is not changes in politics, but rather the wiretapping of phone conversations (March 15)
- There will be no positive result arising out of Jurmalgate – parties will not get cleaner due to the scandal (March 15, March 17, March 22)
- All Latvian political parties are the same corruption-wise (March 15, 22)
- Political party Jaunais Laiks is using Jurmalgate scandal for political purposes (March 23<sup>th</sup>, 25<sup>th</sup>, 30<sup>th</sup>)



- Newspaper alleged that all the compromising information on Jaunais Laiks was deleted from the taped conversations (March 25)

#### *Coverage of Vesti Segodnja*

In a manner similar to newspaper Cas, Vesti Segodna in its first Jurmalgate-related article on March 14, focused the title on the wiretapping aspect of the corruption story ('Wiretapping live!'). Overall, it paid very little attention to the scandal, only publishing 15 articles by the end of March. Five of the texts were interviews with people who were either linked to the story or who chose to mention it during their interviews.

There were three editorials mentioning Jurmalgate, their message was similar to that of Cas and NRA – political corruption is not a new thing in Latvia (March 15, 22), Jurmalgate scandal is used for party political purposes (March 15), nothing is going to change as a result of the scandal (March 15, 21).

#### *Coverage of Telegraf*

Russian-language newspaper Telegraf covered Jurmalgate as one of its priority issues during the first two weeks since the scandal broke out – six of the articles were published on the first page of the newspaper. Compared to other Russian language newspapers, Telegraf had a wholly different editorial positioning on Jurmalgate. The four editorial opinion pieces published by Telegraf highlight the following points:

- Politicians should be quicker to react to Jurmalgate corruption scandal (March 15)
- Wiretapping/publishing of phone conversation is not an important topic in context of Jurmalgate (March 15)
- Vote buying is part of system of corruption endemic to Latvia (March 20), but Jurmalgate is a shock to this system (March 22)
- Latvia's First Party is trying to turn public attention away from the scandal (March 21).

Such an editorial position was much closer to the one of Diena, rather than Cas or Vesti Segodna.

### **3. Discussion**

According to Ilze Jaunalksne, De Facto received severe backlash following the broadcast of Jurmalgate phone conversations on Sunday, March 12. Some people threatened lawsuits (no one made this threat into reality by going to court) and several other media outlets were trying to 'kill the story' by focusing it on the wiretapping aspect or by raising suspicions that the broadcast had

been a black PR campaign against some political party. Even the public broadcaster LTV1 was divided. It is likely that the story would have been killed if there would not have been a live LTV1 discussion show ‘Kas notiek Latvijā?’ (What’s happening in Latvia) on Wednesday and follow-up reporting by newspaper Diena and public broadcasting radio channel Latvijas Radio 1.

Table 8 summarizes the editorial positioning of 7 daily Latvian newspapers – four of them (NRA, Dienas Bizness, Cas, Vesti Segodna) initially did not frame Jurmalgate as being a legitimate political corruption scandal. Instead they focused on other aspects, such as suspicious wiretapping, lack of ‘real’ story, allegations that journalists involved had engaged in political PR. Despite denying the scandal’s legitimacy, two of those newspapers – NRA and Cas – gave the scandal and its alternative framing a high prominence in their coverage.

This indicates that the framework for analysis that was agreed upon by ANTICORRP researchers needs to be applied in a careful and nuanced manner in order to cover such eventualities. High level of reporting on a corruption story does not necessarily mean that a media outlet tries to facilitate the story (role 2): it might mean just the opposite – the media is trying to marginalise or even kill the scandal (role 3). Nevertheless, on such occasions it is not always justifiable to state that the media outlet is an actively corrupt/collaborator of corruption: there might be some legitimate explanations for being sceptical on the subject story. Unfortunately, due to the lack of clarity on the owners of newspapers in Latvia (and on their influence on media content), as well as the prevalence of corrupt journalism during the first decade of the 21<sup>st</sup> century, especially in Russian language media, the good faith scepticism is not distinguishable from the conscious attempts to sabotage or divert a corruption story.

The typology makes sense when one has already taken a normative position on whether the story being explored is or is not a legitimate corruption scandal, - that might not always be obvious. Claims of journalistic facilitation, laziness, sabotage are always relative to whether there is a legitimate corruption story in the first place (Table 9). This issue is further explored in Case Study 4 of this report.

**Table 9: Editorial positioning of 7 Latvian newspapers on Jurmalgate**

<i>Newspaper</i>	<i>Is Jurmalgate a legitimate political corruption scandal?</i>	<i>Should/can there be important political repercussions?</i>	<i>Did the newspaper provide a high intensity/influence coverage of Jurmalgate; did it try to press its editorial position into public/political agenda?</i>
<i>Diena</i>	Yes	Yes	Yes
<i>Telegraf</i>	Yes	Yes	No
<i>Latvijas Avīze</i>	Yes	Unclear	No
<i>Vesti Segodna</i>	No	No	No
<i>Dienas Bizness</i>	No	No	No
<i>Cas</i>	No	No	Unclear
<i>NRA</i>	No	No	Yes

There are a number of further questions on typology left open by this case study. For instance, a clear borderline does not always exist between two typologies: enabler/facilitator (Role 2) and media as being inactive/lazy (Role 4).

Should a newspaper, such as *Latvijas Avīze*, that provided a decent amount of coverage to a corruption scandal, but had an apathetic stance towards the very possibility of improving the state of affairs regarding corruption in Latvia, fall under typology 2 (facilitator) or typology 4 (inactive)? Comparatively how many articles/broadcasts are needed in order to distinguish one category from another?

Can *Telegraf* be considered an enabler/facilitator if one takes into account that its small team tried to cover the story as much as I could, but its readership and influence was too low to matter to the story?

Last, but not least – should media be expected to not only cover corruption events, but also to press for change? *Diena* was the only influential newspaper in 2006 that *Jurmalgate* as a legitimate corruption case and successfully focused its efforts into getting reactions/pushing for change in political elite.

Is there any normative grounds to claim that active prevention of corruption should be the mission of all quality media? If yes, the current typologies do not cover this imperative clearly enough. If not, then there is a risk that investigative journalism on corruption might be counterproductive: ever new corruption stories might not bring social change, but would rather contribute to apathy and public disillusionment.

## Kompromat internet portals

One of ways how new corruption scandals emerge in Latvia is *kompromat* reporting – a mix of journalism, public relations smear campaigns and citizen journalism. *Kompromat* reporting does not fit neatly the distinction of journalistic roles that was accepted as a basis for ANTICORRP project, even more so – it is unclear whether *kompromat* should even be considered a form of journalism. Nevertheless, the prevalence of this phenomenon in Latvia and need to ascertain to what extent media uptake and/or multiply messages that were originally shared as a *kompromat*, was the reason why internet portals that are associated with *kompromat* reporting were selected for further study.

Three research methods were used for this purpose: 1) content analysis of a random selection of *kompromat* portal articles (540 articles); 2) analysis of referrals to *kompromat* portals in Latvian written press; 3) interviews with editors and journalists, covering mostly those media that could not have been reached via content analysis (TV, internet, radio).

### 1. Context

In 2006 Alena V. Ledeneva, corruption scholar, wrote a book ‘*How Russia Really Works: The Informal Practices That Shaped Post-Soviet Politics and Business*’ on informal practices in post-Soviet Russia. In her book, she described two practices ‘*chernij piar*’ (black PR) and ‘*kompromat*’<sup>13</sup> – those practices during last decades have been just as relevant in Latvia as in Russia. After it regained its independence, Latvia - just as Russia - experienced corruption of the media (*zakazuha* in Russian, prepaid publications) combined with rapid development of political consulting industry. In a similar manner to Russia, Latvia saw the strategic collection and distribution of compromising materials on politicians, businessmen and journalists (for an example, see Case study 4) that sometimes turned into *kompromat* wars.

---

<sup>13</sup> According to Alena V. Ledeneva ‘*kompromat* has no direct equivalent in English. Literal translation – „compromising material” – refers to discrediting information that can be collected, stored, traded or used strategically across all domains: political, legal, professional, judicial, media, and business” (Ledeneva 2006)

*Kompromat* was often distributed in a form of a leaflet, a new internet website, a book or transmitted via media. As the traditions of free media were new to Latvia and there was much corruption in many seemingly legitimate media outlet (prepaid content, influence of advertisers on editorial decisions, etc), *kompromat* reporting was frequently considered, even by journalistic community, as being a form of legitimate journalism.

Fair journalism and strategic *kompromat* distribution is usually hard to discern, especially in those societies that do not have high standards of responsible journalism. According to Alena V. Ledeneva, *kompromat* reporting does not aim ‘to discover the truth but to find a way to discredit the target.’ (Ledeneva 2006).

This case study will only focus on three outlets – internet portals *kompromat.lv*, *pietiek.com* (‘pietiek’ in Latvian language means ‘enough’), *puaro.lv* - which either specialize in publishing compromising materials or have published *kompromat* in the past.

These internet portals do not refer to themselves as *kompromat* portals, instead they are vague on their status – some hint at being a mass media (journal, publication), despite not naming their editor-in-chief or team of journalists. If somebody would want to press charges for slander regarding publications in a *kompromat* portal, this person would not find any notifications on the status or legal address of the portal on the portal’s website.

PORTAL	SELF-DESIGNATION IN THE PORTAL	IS THERE A REFERENCE TO EDITOR/TEAM OF JOURNALISTS?
<b>KOMPROMAT.LV</b>	Publication of journalistic investigation	No
<b>PIETIEK.COM</b>	None	No
<b>PUARO.LV</b>	Internet journal	No

Each of the three portals is associated with a well-known personality in Latvia who is or has been involved in public relations companies or political consulting. The public ‘face’ of *pietiek.com* is Lato Lapsa, *puaro.lv* – Leonīds Jākobsons, *kompromat.lv* – Jurgis Liepnieks. As information is lacking on the ownership/funding models of the three portals, a standard reader has no ways of ascertaining whether and to what extent the content of the portals is a good faith journalism or part of public relations campaigns sponsored by some outside party.

One other trait that is common to the three portals: either these portals as entities or their leading public personalities have been involved in controversial *kompromat* campaigns that are either illegal or border on illegality.

For example, in 2011, some weeks before general elections, advertisements for portal *puaro.lv* appeared on television – advertisements were created in a manner that was denigrating to some

politicians taking part in elections, especially the newly created Zatlers' Reform Party. Anti-corruption agency KNAB later stated that this has been a violation of campaign finance regulation. In late 2011 Leonīds Jākobsons got access to e-mail correspondence of mayor of Riga Nils Ušakovs (political party Saskaņa), which he partly published in kompromat.lv. It is probable that Ušakovs' e-mails had been hacked. Police charged Leonīds Jākobsons with unjustified disclosure of personal correspondence – criminal procedure is still ongoing at the time of writing this report. In 2013 Leonīds Jākobsons submitted a complaint to police against Lato Lapsa (leading personality of pietiek.com), alleging that he had unjustifiably disclosed Jākobsons' hacked e-mail correspondence. Lato Lapsa had used this correspondence in his articles to allege that Jākobsons was cooperating with secret services of Latvia that were using kompromat.lv for their own purposes.

#### *Content of kompromat portals*

In order to explore and compare the content of the three portals, the following method was used:

- Random list generator (<http://www.randomlists.com/random-date>) was used in order to generate 25 random dates
- The selection of 25 dates was applied to most recent full four years (2012, 2013, 2014, 2015), generating in total a list of 100 dates spanning four years
- All the articles from the three portals that were published on those dates were selected for content analysis – altogether 540 articles
- Each article was then coded according to a list of specified criteria

Table 10 shows that the number of articles in the three portals is very different: pietiek.com is the most active of the three, while puaro.lv, having been in a dormant state, saw a sudden spike in activity in 2015.

**Table 10: Number of articles in the selected sample, portals 2012-2015**

Portal	2012	2013	2014	2015	Total
kompromat.lv	40	40	20	12	112
pietiek.com	81	81	89	95	346
puaro.lv	6	4	3	69	82
<b>Total</b>	<b>127</b>	<b>125</b>	<b>112</b>	<b>176</b>	<b>540</b>

Table 11 indicates clearly that pietiek.com and kompromat.lv often reports on corruption. Around half of their coverage either directly refers to a corruption story or frames a story in way that hints at corruption. Comparatively, content of puaro.lv is mostly irrelevant in the corruption context.

**Table 11: Is the content of the article corruption related? (%)**

Portal	Yes	No	Ambiguous	Total
kompromat.lv	26	46	29	100
pietiek.com	10	56	34	100
puaro.lv	4	93	4	100
<b>Total</b>	<b>12</b>	<b>59</b>	<b>28</b>	<b>100</b>

Pietiek.com and kompromat.lv mostly cover the national stories (Table 12), while a major part of the content of puaro.lv is based on curiosities (YouTube clips, reporting on lifestyle of movie actors) that are not linked to a specific place. A substantial part of kompromat.lv reporting is focused on a local level: especially cities such as Riga, Daugavpils and Jurmala.

**Table 12: Scene of the article: international, national, local (%)**

Portal	International/foreign	National	Local	Irrelevant
kompromat.lv	4	63	34	0
pietiek.com	3	84	11	2
puaro.lv	22	34	2	41
<b>Total</b>	<b>6</b>	<b>72</b>	<b>14</b>	<b>8</b>

Pietiek.com mostly covers national level politics (27% of all articles) and public administration (16%). Among other prominent topics there are big enterprises (6%), security services (6%), courts and judicial system (5%).

In contrast, kompromat.lv pays almost equal attention to national and local level politics and public administration.<sup>14</sup> This portal also prioritizes reporting on crime, including organized crime (13%). Topics such as big enterprises, banking, security services, courts and judicial system and the activities of portal itself make up for 4-6% of all articles each.

The content of puaro.lv, especially during 2015, has been mostly focused on entertainment (54%), nevertheless the coverage of military/war related topics (15%) and national politics (9%) is also prominent.

Not all the articles in the three portals contain compromising information. During 2012-2015 compromising information could be found in 65% of kompromat.lv articles, 63% of pietiek.com and 10% of puaro.lv.<sup>15</sup>

<sup>14</sup> Local level politics: 13%, national level politics: 12%, local level public administration 11%, national level public administration 8%.

<sup>15</sup> Data on puaro.lv are skewed because of high number of articles specifically in 2015. In 2012 half of articles of the portal contained compromising information on a person, political party, institution or a business company.

Main ‘targets’ of the portals tend to differ. The sample of articles indicates that pietiek.com focused on attacking Valdis Dombrovskis, former Prime Minister (2% of all coverage), Security Police of Latvia (2%), anti-corruption agency KNAB (1%), Aivars Lembergs, Mayor of Ventspils (1%), Ēriks Kalnmeiers, Prosecutor General (1%), Sergejs Zaharjins, businessman (1%).

For kompromat.lv main targets of attack were Nils Ušakovs, Mayor of Riga (7%), Aivars Lembergs, Mayor of Ventspils (4%), Gatis Gudermanis, head of ‘Economy police’(3%), Bislans Abdulmuslimovs, businessman (2%), Gatis Truksnis, Mayor of Jurmala (2%), Raimonds Munkevics, former Mayor of Jurmala (2%), Žanna Kulakova, former Mayor of Daugavpils (2%).

No evidence emerged that *kompromat* portals are being used not only for attack, but also for advertising purposes – fewer than 9% of all articles contained information that might have been construed as ‘positive publicity’. Except for positive/defensive articles on Vladimirs Vaškevičs (former high official in State Revenue Service) in portal pietiek.com, no other person was shown in a positive light in more than 1% of all coverage in any of the three portals.

On political party level, content analysis indicates very clear ‘targets’ of pietiek.com and kompromat.lv. 12% of all pietiek.com coverage was disadvantageous to political party Vienotība (2% Reform Party, 2% Greens and Farmers Union, 1% Saskaņa, 1% National Alliance, 1% Olšteins group). In contrast, 14% of kompromat.lv reporting was disadvantageous to Saskaņa (2% to Greens and Farmers Union, others below 1%). Small sample size prevents generalizations on puaro.lv, but the only negative articles in the sample were on Vienotība, Reform Party and National Alliance.

#### *Methods of kompromat portals*

Majority of articles in pietiek.com and puaro.lv appear either without any indication on the author of the article or are published in the name of the portal itself. If articles that do not contain any compromising information are discounted from the sample, then the proportion rises for pietiek.com and drops for puaro.lv.

**Table 13: Anonymous articles or articles in the name of portal**

	<b>Pietiek.com</b>	<b>Kompromat.lv</b>	<b>Puaro.lv</b>
All articles	59%	26%	64%
Only those articles that contain compromising information on someone	76%	30%	13%

Even when a name of the author has been added to an article, it is not always trustworthy. For pietiek.com only 8% of its total corpus of articles has a name that is clearly associated with the public personalities of the portal (mostly Lato Lapsa) and for around 1% of all content there is a



reference that the text has been republished from other media. More than 30% of the content originates from a variety of sources that are sometimes hard to distinguish:

- Articles that have been sent in to the portal and that have been signed by a real name
- Articles that are anonymous (for example, Pietiek.com reader), or that are signed by nicknames, or that might even include a fake name
- Texts that are answers to freedom of information requests, posts in social networks, emails, etc. and that pietiek.com has turned into articles where the original writer appears as the author of the article.

A similar issue is characteristic of kompromat.lv—there is no list of writers/journalists for the portal, therefore, it is unclear whether those names that appear as the authors of the articles represent real people or are inventions. Leonīds Jākobsons himself only appears as an author of only around 1% of all articles.

Half of all articles that appear on kompromat.lv and 63% of pietiek.com articles contain information that was not known before the publication (this percentage grows beyond 90% when the information is published in the name of the portal or without any name). In contrast, for puaro.lv only 4% of all articles contain new information.

For articles in kompromat.lv the most frequent sources of new information are court documents and court proceedings (17%), undisclosed ‘sources’ (14%), leaked-emails (8%). Additionally, the portal does its own analysis of public official's declarations on their financial situation (4%) and publishes information that (allegedly) has been sent by readers. Sometimes, when new information has been published, there is no indication on the method of obtaining this information (7%).

Around 25% of articles that contain new information in pietiek.com is a result of portal asking a question to a politician, state institution, etc. – portal creates articles out of question themselves, responses and lack of responses. In approximately 18% of cases the articles are based on some documents that have been leaked/shared with pietiek.com and in 15% of articles portal refers to ‘sources’ (without disclosing them).

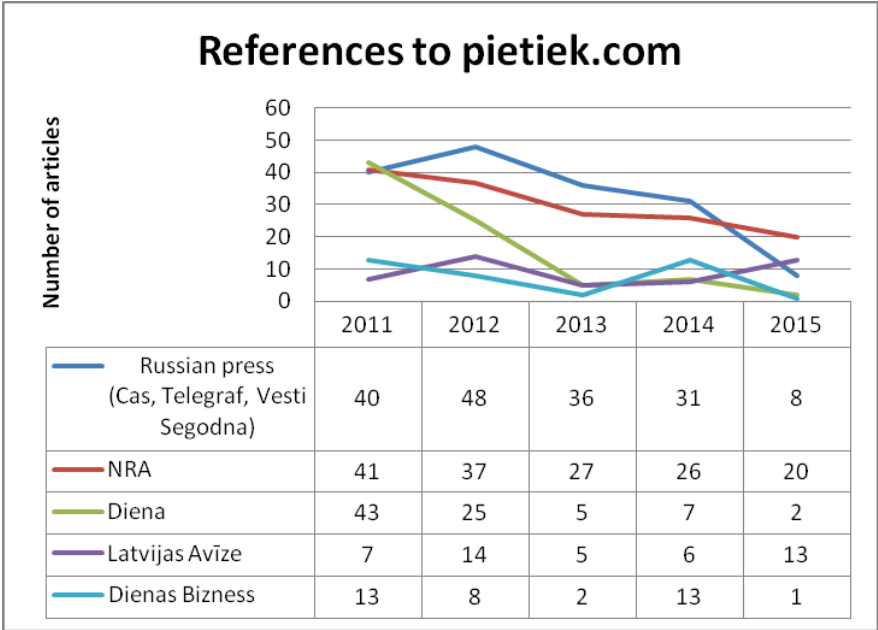
## **2. Description of the role of journalists**

Influence of *kompromat* portals depend not only on their direct readers, but also on whether or not other media multiply their messages.

Pietiek.com is by far the most popular of the three portals. In the archives of the news agency LETA there are 1651 news stories/newspaper articles that refer to pietiek.com, as compared to 216 for kompromat.lv and 71 for puaro.lv.

Nevertheless, it seems that the overall coverage of pietiek.com has been declining, at least in newspapers (Figure 6). A similar trend may be observed by checking the number of news stories that had been reported by LETA, national news agency when referring to pietiek.com (from the highpoint of 459 news stories in 2012 to 68 in 2015).

**Figure 6: References to pietiek.com in newspapers**



In order to understand how other media works with information that either originates or is otherwise connected with *kompromat* portals, a content analysis was conducted of articles in daily newspapers (Diena, NRA, Latvijas Avīze, Cas, Telegraf, Vesti Segodna) that referred to pietiek.com, kompromat.lv and puaro.lv<sup>16</sup>.

Table 14 indicates that Latvian newspapers refer to *kompromat* portals mostly in context of news reporting and in order to create in-depth features.

<sup>16</sup> Sample included all references to puaro.lv (74) and kompromat.lv (64), and articles on pietiek.com that were published no later than on 01.01.2015 (89)

**Table 14: Referrals to kompromat portals in Latvian newspapers: editorial formats (%)**

Row Labels	Kompromat.lv	Pietiek.com	Puaro.lv	Total
News	54	44	43	49
Editorials	8	23	15	14
Analysis/features	30	22	9	25
Interviews	3	5	14	5
Other	6	5	20	7

Table 15 illustrates that newspapers do not have a similar approach to the three portals.

**Table 15: Reasons of newspapers to refer to *kompromat* portals (%)**

Why is there a reference to the portal?	Kompromat.lv	Pietiek.com	Puaro.lv	Total
A. Due to content (scoop, interview) in the portal	33	89	75	67
B. Some public campaign led by the portal (for example, on legalizing marihuana)	1	1	11	4
C. Reporting on activities of personalities that are linked with the portal (for example, physical attacks against them or new books being published by them)	47	5	14	21
D. Article written for some newspaper by a representative of the portal (for example, pietiek.com personalities write an article for newspaper Diena)	0	3	0	1
E. Charity campaigns of the portal	0	1	0	0
F. Newspaper publishes information that states/implies that reporting of the <i>kompromat</i> portal is not credible	11	0	0	4
G. Allegations that portal cooperates with secret services	7	0	0	2
H. Allegations that portal is corrupt – its reporting is dependent on bribes	1	0	0	0

Only one third of all references to kompromat.lv refers to the content of the portal. Portal's scoops on Mayor of Riga Nils Ušakovs and his political party Saskaņa was taken up by newspapers Diena (5 articles) and Latvijas Avīze (3 articles). Several newspapers (Vesti Segodna, NRA, Cas, Diena) relied on kompromat.lv in order to cover lesser known personalities connected to criminal scene and investigative institutions (9 articles).

Almost a half of all coverage concerned the activities surrounding Leonīds Jākobsons, lead personality of kompromat.lv: criminal procedure and arrest of Jākobsons in connection with the leaked e-mails of mayor of Riga that were published on kompromat.lv, a violent attack on Jākobsons in 2012 and subsequent investigation, judicial proceedings against Lato Lapsa after an application by Jākobsons, other judicial proceedings against Jākobsons.

7 articles (by Diena, NRA, Latvijas Avīze) mentioned that kompromat.lv allegations against Aivars Lembergs as being a former KGB agent were found to be false. Five articles (three by NRA, 1 by Diena, 1 by Vesti Segodna) mention kompromat.lv in context of this portal allegedly coordinating its activities with one of Latvian secret services – Constitutional Protection Bureau of the Republic of Latvia. An article appearing in Telegraf 2009 claims that the owner of the portal receives payment for ceasing to publish negative information on someone.

In contrast to kompromat.lv, overwhelming majority of all newspaper references to puaro.lv is on the content of the portal. Newspapers were mostly interested in national politics related stories of the portal –NRA often referred to such stories. There was some interest on the political campaigns led by puaro.lv, such as attack advertisements before elections against Reform party and some other political players. 14% of all coverage in newspapers on puaro.lv were devoted to other activities of portal’s public personalities Jurgis Liepnieks and Nils Sakss.

Due to differences in content analysis methodology, a similarly comprehensive picture cannot be produced for pietiek.com, because the data only covered 2015 and the start of 2016. During this timeframe it was NRA that most often refers to content of pietiek.com (twice as often as Vesti Segodna or Latvijas Avīze). Altogether, newspapers were mostly interested in the scoop that the portal produced on public administration related issues. There was also substantial interest regarding portal’s coverage of politics and business players.

Table 16 illustrates that audience of a newspaper rarely gets any warning that the *kompromat* portal content to which a newspaper refer might not be credible.

**Table 16: In cases where a newspaper refers to the content of a *kompromat* portal – does it warn its readers that information might not be credible? (%)**

	Kompromat.lv	Pietiek.com	Puaro.lv
Yes	20	5	8
No	80	95	92

Regarding kompromat.lv it was Diena (4 articles) and Latvijas Avīze (1 article) that included at least some warning in their reporting (for example, they reported that the leaked e-mails of Nils Ušakovs that can be found in kompromat.lv might not be authentic). Mostly newspapers used information published by kompromat.lv with a direct referral to the portal, not giving any context to indicate to audience whether this source and/or information is trustworthy.

There were even fewer attempts to provide critical distance to reporting by pietiek.com. In the corpus of articles, there are just 4 articles which use some distancing language: for example, specifically stating that some content of the portal is a *kompromat* (NRA, 09.08.2015), referring to

denigrating texts in the portal that have been inspired by some unknown person (NRA, 28.10.2015), attempting to check the data published in pietiek.com (NRA, 11.01.2016), accusing pietiek.com reporting as part of organized attempt to prevent new legislative amendments (Diena, 21.03.2016). On puaro.lv there has not been much critical distancing either. Diena remarked in 2011 that puaro.lv's public personality Jurgis Liepnieks has connections to political party Saskaņa and also to Greens and Farmers Union.

An overwhelming majority of investigative journalists and editors, when asked during the research for this report, whether they considered pietiek.com, puaro.lv, kompromat.lv as a form of journalism, responded negatively or considered that only a small proportion of the content of those portals might be considered journalism. Nevertheless, almost everyone had a look in pietiek.com and/or kompromat.lv from time to time, and investigative journalists used the leaked/collected documents to inform their own work.

Some public benefits were mentioned that, in the minds of respondents, are associated with *kompromat* portals:

- Information on corrupt transactions that would have otherwise remained secret (especially leaked documents)
- Ability to spot corruption in complicated cases that require a good memory and information processing skills – if journalistic community is weak, then there is a high likelihood that no one else would have noticed the pattern
- Some activities organized by Lato Lapsa (pietiek.com) have not been linked with *kompromat* and clearly had a public benefit – such as, for example, a public campaign to unmask those who park their cars in spots reserved for people with disabilities.

Despite those benefits, it is objectionable that *kompromat* portals should be referred to as journalism. Respondents saw several principal differences between their own work and that of *kompromat* portals which boil down to methods that are or are not characteristic of responsible journalism. Among the most important characteristics of the *kompromat* portals, the respondents mentioned the following: 1) PR campaign as the main aim of publication; 2) inquiry/publishing methods that are not consistent with standards of responsible journalism.

#### ✓ **Aim of the publication – public benefit or black PR?**

Taking into account the lack of clarity on financial side of *kompromat* portals and close links of their leading personalities with PR industry, it is never certain whether an article that is published via *kompromat* portal and that contains some compromising information has appeared there because

of good faith public benefit considerations or because it is part of some undisclosed public relations smear campaign that has been paid by some outside party.

Several examples of such campaigns are relevant in context of the other chosen case studies for this report (especially, case study 1 and case study 4). In 2011 pietiek.com published a series of compromising articles against Aigars Štokenbergs, former Minister of Justice; those articles were then packed together in a leaflet called “Štokenberg, pietiek!” and distributed in his electoral district, resulting in Štokenbergs not being re-elected. This campaign raised suspicions of pietiek.com (Lato Lapsa) being engaged in a PR campaign in the interests of administrators of insolvency procedures who had a conflict with the minister. Impression that *kompromat* PR campaigns were being led against those who had crossed the interests of insolvency administrators was later strengthened by pietiek.com starting a high pressure campaign against Indulis Balmaks, a lawyer who had helped to unmask the schemes in the insolvency sector (see Case study 1). In context of Case study 4, it was Lato Lapsa who had created/was behind website neliesi.info where audio recordings and transcripts of private phone conversations of journalist Ilze Jaunalksne were published (see Case study 4).

#### ✓ **Inquiry and publishing methods**

There are several methods that are regularly used by *kompromat* portals that would have been inconceivable in context of responsible journalism – two of the respondents used a designation *trolling* to explain the difference.

A typical *kompromat* ‘campaign’ in Latvia’s *kompromat* portals is perceived to have some or all of the following elements:

- An initial article with ‘loud title’ followed either by vague content or some compromising information. It is likely that article is anonymous
- Asking the ‘target’ many questions and reporting on the answers. Purposefully taking answers to questions out of context. Reporting that the ‘target’ has not responded to a question or is evading a question (even if there had not been a reasonable amount of time to respond)
- Publishing personal and/or embarrassing information, including targeting family members
- Using rude or denigrating language. Depending on the context, submitting questions and complaints to state institutions, heads of political parties, nongovernmental organisations. Reporting on each response received or not received.

### 3. Discussion

Previous discussions in Latvia on *kompromat* portals have tended to try to put them into one of two boxes: journalism or public relations. This study has indicated that they should be better conceived as a class of their own (*sui generis*) where elements of traditional journalism, public relation campaigns and citizen journalism are mixed. For example, a *kompromat* portal might engage in good faith journalism on some issues, while being part of massive PR attack in some others, and it will be close to impossible from an outside observer to tell whether the reporting has been conducted for public benefit or because of a payment of some undisclosed sponsor.

As such, the phenomenon of *kompromat* reporting is problematic in context of some common assumptions regarding the need to protect freedom of expression and whistleblowers. What if some confidential documents are leaked to *kompromat* distributors, and not to journalists who have their reputation at stake and who have been trained to discern public benefit and balance privacy considerations? Should such a leakage normatively be covered by whistleblower protection? Should subsequent publication of confidential documents be designated as journalism?

*Kompromat* portals are also not easy to analyze using the framework of ANTICORRP research on interaction between journalists and corruption. Should they be analyzed as journalists irrespective of the observation that their work is more about character assassination and causing outrage rather than discovering the truth? Alternatively, should *kompromat* distributors be always seen as part of some undisclosed corrupt network even in cases where they themselves have exposed some corruption story? Questions on how should other journalists report on the leads/stories that they find in *kompromat* portals are just as hard to answer. Is ignoring *kompromat* distributors the responsible thing to do – namely, role 4 inaction/laziness in context of *kompromat* portals might actually be a good thing? Or should one report on the findings of those portals despite the dubious motivation and trustworthiness behind the corruption related information (role 2)?

Several interviewees for this research admitted that in many cases *kompromat* reporting is not much different from events in regular Latvia's media teams where some journalists are engaged not in journalistic, but in PR work (protecting or attacking various people, companies, state officials, institutions, politicians if that is in the interests of advertisers or owners of the media outlet). Methods are also not always different.

It may be hoped that the problem will sort itself out when the system of journalist responsibility gets strengthened with introduction of media ombudsman or some other method that would allow to discern and to protect responsible journalism while heavily sanctioning those who, under the cover of journalistic privilege, engage in fact in *kompromat* trade.

## **Wiretapping and leaking journalist's phone conversations**

Illegal wiretapping and leaking of journalist Ilze Jaunalksne's (see below for more information on the journalist) phone conversation is one of the most well-known cases in Latvia, where a journalist was targeted for retribution due to her work.

This case study was selected for further study, because it helps to elucidate the application of typology of journalistic roles suggested by the common research framework having to do with interaction between media and corruption that was conducted under ANTICORRP research project. Case study 2 already indicated that the application of typology is relative to whether one has a normative position on the story itself, namely does it or does it not constitute a legitimate corruption story? Case study 4 further problematizes this issue, showing how application of typology changes depending on the normative stance of what, among competing narratives, is the TRUE corruption story.

The principal research method used for this purpose is an in-depth content analysis of the three newspapers that had competing narratives on this story, analysing all their articles that were devoted to this story.

### **1. Context**

Ilze Jaunalksne is a well-known journalist who in 2006 was one of the top personalities of weekly investigative program De Facto on LTV1 (public broadcaster). In 2006 she was best known for her work on Jurmalgate (Case study 2) and her previous investigations on corruption relating to introduction of digital television. In September 2006 several media reported that they had received her phone conversations, including her conversations with sources and guests to TV programs.



**Table 17: Chronology of scandal, main events (relevant in the context of the case study)**

Date	Events
<i>September 2006</i>	<p>Public reports that a journalist’s phone conversations might have been leaked to broader public</p> <p>Some fragments of the transcripts are published by media (NRA, LNT, TV5, Radio SWH)</p> <p>A website neliesi.info (translation: bastards.info) is created by Lato Lapsa (see Case Study 3) where more transcripts of phone conversations are published</p> <p>Initial investigation by State Prosecutor’s Office indicates that inspectors of Finance police (institution that is part of State Revenue Service) had applied for authorization to the court for wiretapping Jaunalksne’s conversations at the end of 2005 (06.12.2005-06.01.2006) and in April 2006</p> <p>13.09.2006 the judge who had authorized the wiretapping is temporarily dismissed. In November she receives a reprimand by judges’ disciplinary committee</p>
<i>2007</i>	Court proceedings against 4 employees of State Revenue Service, first rulings
<i>2010</i>	After a prolonged litigation, the Supreme Court of Latvia rules that Ilze Jaunalksne should receive a compensation of 12 000 lats (around 17 000 euro)
<i>2015</i>	<p>Final ruling against 4 employees of State Revenue Service – they are found guilty for abuse of power (illegal wiretapping) and sanctioned with monetary fines</p> <p>No new developments in the criminal procedure on exposure of state secrets (the leakage of records of phone conversations), no one has yet been accused for this crime</p>

## 2. Description of the role of journalists

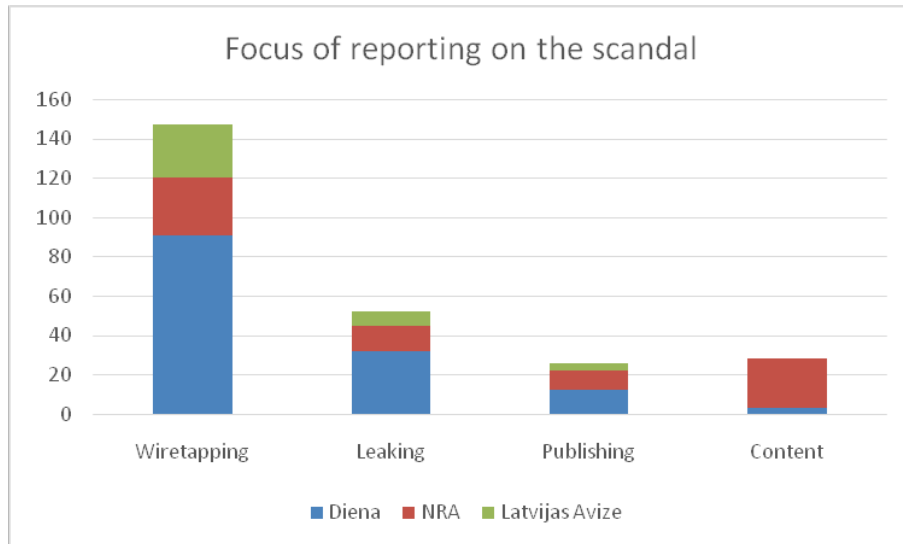
From the outset of a scandal (first articles in September 8 and 9), newspapers Diena and NRA had competing narratives on what constitutes corruption in the story. Diena considered the corruption as being the very fact that somebody could illegally tap and leak a journalist’s phone conversations. NRA framed corruption as being the disclosed content of the phone conversation which, to newspaper’s consideration, suggested unethical links between the journalist and representatives of political parties and high judicial officials.

In the interest of clarity, the description of the role of journalists is analysed according to four allegations that could have been used as a focusing point in order to frame corruption in this story:

1. Wiretapping (Illegal wiretapping of a journalist by state institutions is corruption)
2. Leaking (Leaking of wiretapped conversations by a state institution is corruption)
3. Publishing (Media publishing wiretapped conversations of a colleague is corruption)
4. Content (Content of conversations signify that the journalist was corrupt)

Figure 7 illustrates both the overall reporting on the scandal of the three newspapers and their mutual differences. It is clear that Diena and Latvijas Avīze focused on wiretapping aspect of the story, while NRA, compared to other newspapers, was writing a lot on the content of Jaunalksne's wiretapped phone conversations.

**Figure 7: Focus of reporting on Jaunalksne's phone conversations scandal**



*Illegal wiretapping as the focus of reporting*

The fact that a journalist's conversation had been wiretapped were the main initial reporting impetus for Diena and Latvijas Avīze.

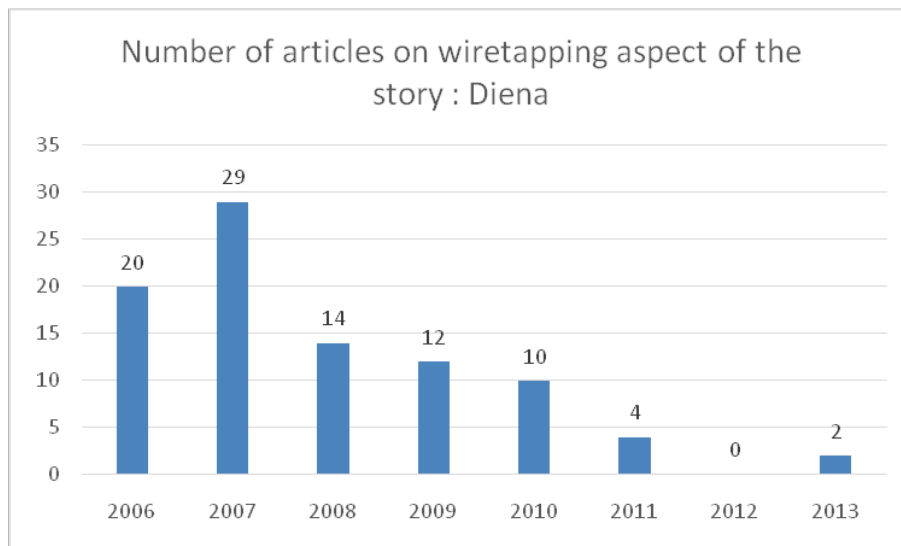
*Diena*

In its news reporting during 2006, Diena established that (chronologically):

08.09.2006	A judge had permitted to wiretap journalist's conversations
09.09.2006	Some conversations might have been tapped without authorisation
12.09.2006	It is probable that it is the Finance police (an institution that forms part of State Revenue Service) that wiretapped the conversations
13.09.2006	Judge who permitted the wiretapping is temporarily discharged
14.09.2006	There was additional wiretapping of conversations by Finance police in August, 2006
14.09.2006	Judges were misled by employees of Finance police
14.09.2006	Scandal is being used by politicians so as to exert pressure on Public Prosecutor's Office and KNAB
15.09.2006	Part of conversions were probably wiretapped by misleading the judge
16.09.2016	News on International Federation of Journalists' condemnation
21.09.2006	State institutions do not disclose which employees of Finance police are discharged
19.10.2006	Disciplinary proceedings against the judge who permitted the wiretapping
02.11.2006	The judge who authorized the wiretapping receives a reprimand

In its subsequent news coverage from 2007-2013 Diena closely covered the court proceedings and was periodically checking whether those who had wiretapped Jaunalksne's conversations had been discharged from their duties.

**Figure 8: Number of articles on wiretapping aspect of the scandal, Diena**



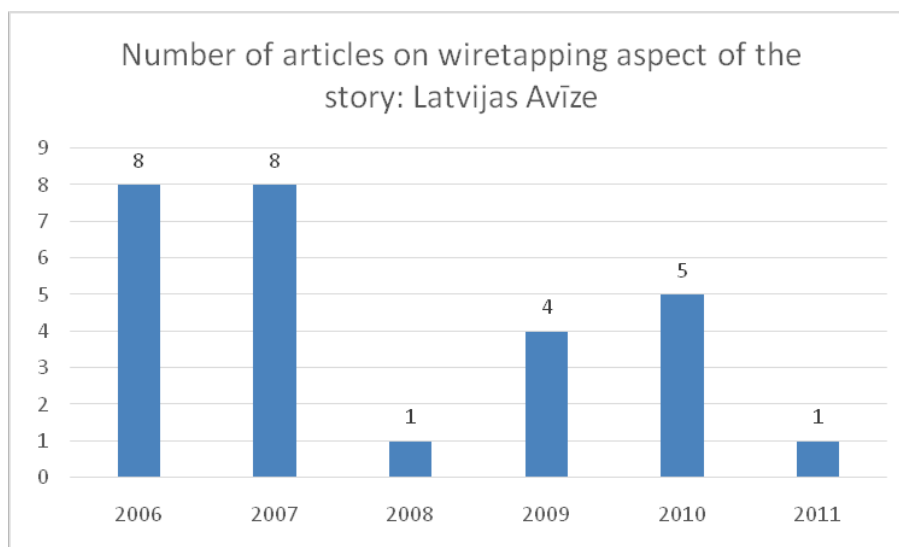
During this timeframe Diena devoted 12 editorials to the story (additionally there were some editorials which only mentioned the case in a brief manner). Main messages on the wiretapping aspect were the following:

- Wiretapping journalist's conversations is outrageous (09.09.2006; 15.09.2006)
- It is likely that somebody had paid and 'ordered' the wiretapping as a retribution to the journalist: it was not the initiative of the employees of Finance police themselves. The people behind the scenes must be found. (26.10.2006; 09.01.2007; 25.03.2008; 18.08.2008; 22.05.2009)
- Politicians are using the wiretapping scandal in order to turn against anti-corruption agency KNAB and Public Prosecutor's Office, even though those institutions are least at fault (13.09.2006)
- There must be consequences following the scandal:
  - State Revenue Service must be cleaned of corruption (09.01.2007; 13.06.2007; 08.08.2007)
  - Ilze Jaunalksne should receive a compensation (10.02.2007; 03.04.2007)
  - All state officials involved should receive appropriate punishments (10.02.2007)

### Latvijas Avīze

In covering the story, Latvijas Avīze also focused on the wiretapping aspect, but the number of articles dedicated to this subject was less than a third of that of Diena. In its overall approach, Latvijas Avīze indicated that it considers this story as being of corruption, but it was not willing to issue strong condemnations in its editorial reporting.

**Figure 9: Number of articles on wiretapping aspect of the scandal, Latvijas Avīze**



In its news reporting during 2006, Latvijas Avīze informed its readers that:

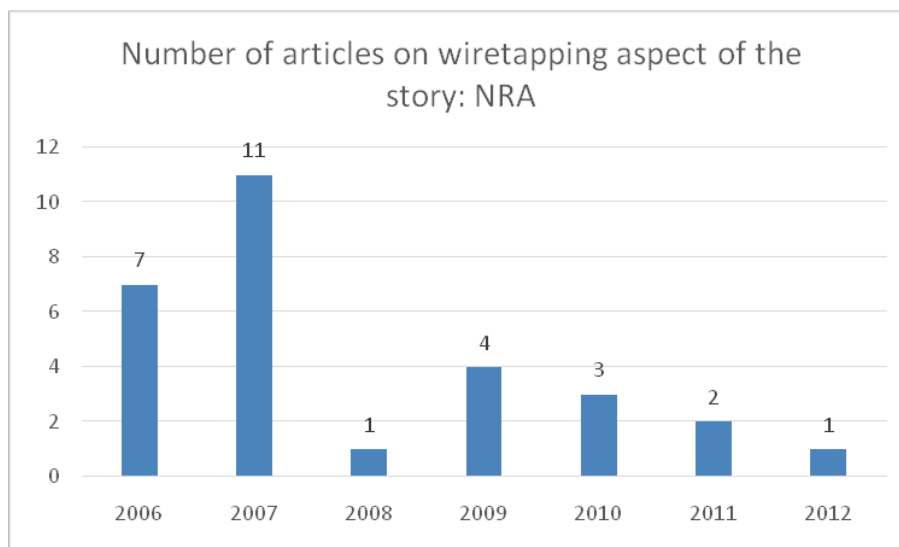
06.09.2006	There might be a new wiretapping scandal
14.09.2006	Conversations were also wiretapped in April, 2006 - there had been court authorization
13.09.2006	Finance police might have misled the judge
15.09.2006	President of Latvia Vaira Vīķe-Freiberga believes that wiretapping should be controlled better
22.09.2006	State Prosecutor's Office will try to be comprehensive in its investigation
19.10.2006	Disciplinary proceedings against the judge who authorize wiretapping have began

During the subsequent years Latvijas Avīze occasionally followed the story, informing its readers about court proceedings and compensation that was received by Ilze Jaunalksne. Latvijas Avīze did not devote any editorials to this aspect of the story. In 2006 and 2007 the newspaper did publish the digest of readers' views on the subject matter.

*NRA*

Unlike *Diena* and *Latvijas Avīze*, for *NRA* the story of corruption, at least initially, was not that of the wiretapping of journalist's conversations (7 articles during 2006), but rather the content of those conversations (14 articles during 2006).

**Figure 10: Number of articles on wiretapping aspect of the scandal, *NRA***



Also its news reporting priorities on wiretapping aspects were clearly different from that of *Diena* and *Latvijas Avīze*. It wrote very little on legitimacy of wiretapping a journalist and illegalities of the procedure, instead the newspaper focused on defending the persons and institutions involved and on reframing the issue as not being about *Jaunalksne*, but about wiretapping in general:

12.09.2006	Criminal proceedings for wiretapping <i>Jaunalksne</i> 's conversations
20.09.2006	Supreme Court has unjustifiably disclosed the name of the judge who authorized wiretappings
25.09.2006	Prosecutor General blames the employees of Finance police although there are no court ruling to prove their guilt
03.11.2006	Secret services deny that it is possible to illegally wiretap someone's conversations
13.11.2006	Politicians promise to eliminate illegal wiretaps
03.12.2006	Situation with secret wiretaps is out of control

Newspaper dedicated one editorial to the wiretapping aspect (15.09.2006) - the message of the editorial was on the unfairness of punishing the judge who had authorized wiretapping of journalist's conversations. *NRA* continued this editorial line in later years, in other editorials (for example, 11.07.2007) and interviews (09.03.2007).

### *Leaking confidential information as the focus of reporting*

None of the three newspapers framed the leaking of confidential information as the main corruption aspect of this story. Nevertheless, all the newspapers paid some attention to this issue.

Latvijas Avīze did not distinguish its reporting on wiretapping aspect to the subsequent leak of this information from Finance police to media. Diena also tended to combine those aspects, except for some of its reporting. For example, Diena's editorial of 15.09.2006 states that it is highly unlikely that Finance police of State Revenue Service, the institution that had wiretapped journalist's conversation, was not the subsequent leaker of this information. Statements to the contrary had appeared in other media.

On 16.09.2006 Diena published expert views on the scandals – one of the experts pointed out that even if the wiretap would have been legal, the state has an obligation to keep such information private. This line of argumentation was continued in an editorial of 10.02.2007 (allegation that the head of State Revenue Service is responsible for not ensuring that confidential information does not leak from his institution). Diena distinguished (editorial 10.01.2007) between this story and Jurmalgate (Case study 2) by noting that the circumstances of the leak were different. Jurmalgate phone conversations were wiretapped legitimately and the transcripts of those conversations were given to the journalist by one of the accused after the investigation had already been finished. In some of its editorials, Diena highlighted that the leakage of the illegally recorded phone conversations was a *kompromat* (see Case study 3) in the interests of someone who was interested in discrediting the journalist and her colleagues (editorial 10.03.2007). Unfortunately, the investigation did not manage to find out who had ordered the releasing of *kompromat* against the journalist (22.05.2009).

In its reporting, the newspaper NRA tended to distinguish between wiretapping and leaking of information, but not always consistently. For example, editorial of 15.09.2006 stated that punishment was justified for those state officials who had given away confidential information and not the judge who had authorized the wiretappings. The next day another editorial reproached investigative institutions for 'double standards' – newspaper alleged that previously, when there was a leak of some sensitive information, such cases were not investigated diligently.

### *Publishing confidential conversations as the focus of reporting*

If some illegally obtained confidential information has been leaked to a media, should he or she publish such information? In what cases would it allow him/her to be an enabler of a corruption story and in which cases – an instrument of corruption?

None of the newspapers analysed for this case study, framed this issue as being the main focus of the story. Nevertheless, they did have different framing on the issues whether a media outlet should have published wiretapped conversations of an investigative journalists.

Latvijas Avīze paid the least attention to this issue. The newspaper did not republish the transcripts, but it did inform its readers on the contents of the phone conversations. In 14.09.2006 the newspaper published a news article where it was stated that a website *neliesi.info* was created by Lato Lapsa – the article also provided an extensive quote for Lato Lapsa's rationale (allegations that he needed to expose to public that Ilze Jaunalksne has double standards regarding swear words and drugs).

Apart from that, LA published a news story in 16.09.2006 that Prosecutor's Office will check whether publishing of all previous phone conversation leaks was lawful. In 2007 and 2009 Latvijas Avīze briefly mentioned this issue in a context that is only marginally connected to Jaunalksne's story.

NRA published some of the phone conversation transcripts already in 08.09.2006. A week later, on 14.08.2006 newspaper started a discussion on justification for publishing conversations, that – as by then was starting to be clear – were based on illegal wiretapping. That article provided a digest of comments by Lato Lapsa where he justified his reasoning in a following manner: 1) Ilze Jaunalksne herself as a journalist had published information that was based on a leak of phone conversation transcripts; 2) 'At least a part of conversations indicate that the journalist is herself a source or information' to some outside parties. A comment by Inta Brikše, media expert was added to the article, where she stated that Ilze Jaunalksne had been unfairly injured.

On 16.09.2006 NRA published an editorial which reinstated the points of Lato Lapsa - that there is no difference between this information leak from that of Jurmalgate (Case study 2) and that it is in public interest to know whether a journalist exposes corruption cases not because of public benefit considerations, but rather due to her own and her friends' interests. There was also a news story 16.09.2006 where the editor-in-chief of NRA was quoted - who stresses the assumed link between the journalist and KNAB and State Prosecutor's Office exposed by the transcripts.

On 27.09.2006 NRA published a discussion with several people where Gunta Līdaka, head of TV5, again highlighted the point that, in context of a choice to publish transcripts, she saw no difference between circumstances of these transcripts and Jurmalgate. NRA used the framing of 'double standards' in its later coverage as well (for example, 10.02.2007; 19.03.2007; 12.08.2008)

Diena had a vague attitude towards the issue whether the publication of the transcripts is in itself a form of corruption.

During 2006 Diena had two main messages:

1. Selection of the phone conversations transcripts targeted not just the journalist, but also anti-corruption agency KNAB and representatives of State Prosecutor's Office. This selection was immediately used by some high level politicians to allege that public broadcaster LTV1 cooperates with investigative institutions and political party Jaunais Laiks.

2. Comparisons of this event with Jurmalgate are deliberately misleading - Jurmalgate conversations exposed a crime where investigation had already been finished, while in this particular case the transcripts concerned a journalist's private and work-related conversations. Nevertheless, top politicians and journalist continued to use such arguments of 'double standards'.

In 2007 Diena specified its attitude in two editorials, stating that legally journalists were entitled to publish the phone conversation transcripts of the journalist even though the society did not learn anything of importance (10.02.2007). This message was repeated in another editorial on 15.05.2007.

#### *Content of wiretapped phone conversations as the focus of reporting*

Out of the three newspapers only NRA made the content of the phone conversations that main focus on its reporting.

Its first three articles on the story had the following titles:

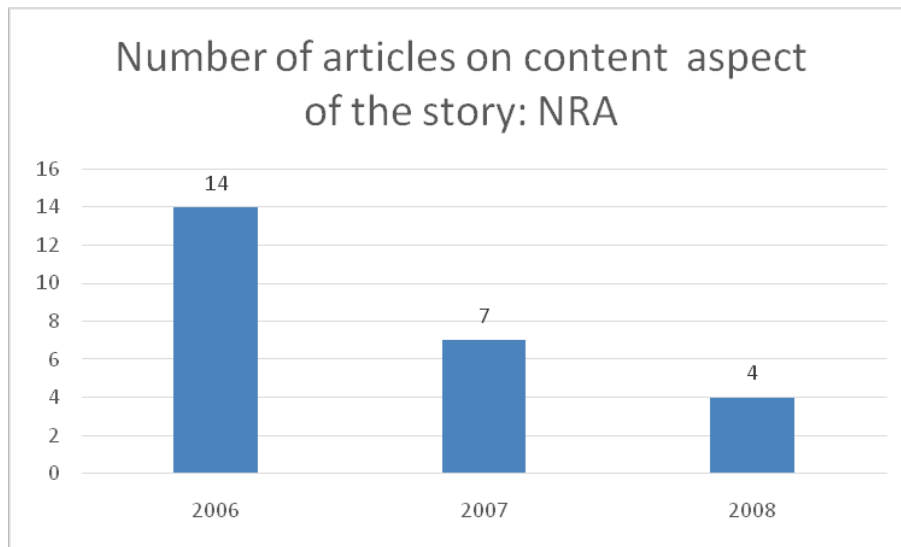
- ✓ It is confirmed that journalist's conversations are genuine – now it is time to evaluate their contents (08.09.2006)
- ✓ LTV (public broadcaster) wishes to evaluate Jaunalksne's conversations (09.09.2006)
- ✓ Politicians: suspicions are confirmed that public broadcaster LTV1, JL [political party], Public Prosecutor's Office and KNAB cooperates. (11.09.2006)

In its subsequent news reporting, NRA informed its readers on Lato Lapsa's attempts to have an official investigation regarding the content of the transcripts - in 20.09.2006 NRA wrote that Lato Lapsa had submitted the transcripts to State Prosecutor's Office for an investigation on whether their content indicates the existence of some crime. In 16.11.2006 NRA further reported that Lato Lapsa is outraged for there not being a response. 23.11.2007 NRA again mentioned this story.

NRA also reported on people who used those transcripts for their own purposes. For example, lawyer Viktors Tihonovs asked the Council of Sworn Attorneys to expel another attorney Romualds Vonsovičs, because he believed that the phone transcripts indicate that Vonsovičs was helping Jaunalksne in creating reports that showed Tihonovs in a negative light (11.11.2006; 19.06.2007)



**Figure 11: Number of articles on content aspect of the scandal, NRA**



Starting from 2006 until 2008 NRA mentioned content of wiretapped conversations in eight editorials, thus clearly illustrating the importance this story had for the newspaper. The main editorial messages were the following:

- ✓ Leaked phone conversations disclosed that the journalist was not neutral - she was giving advice on what needs to be said in her TV program (14.09.2006; 16.09.2006; 10.02.2007; 12.08.2008; 26.11.2008)
- ✓ Conversations disclosed that the journalist was using weed, using denigrating expressions, advising a politician to write to Public Prosecutor's Office, etc. (15.09.2006; 10.02.2007; 09.05.2008)
- ✓ Conversations hinted at some 'affront' against Aivars Lembergs, mayor of Ventspils (10.02.2007, 14.03.2007)
- ✓ it is wrong for media not to discuss the content of journalist's conversations – such an inaction might result in politicians escaping from responsibility in similar circumstances (16.09.2006)

### **3. Discussion**

Any discussion on journalistic roles are necessarily relative to the framing of the story. Case study 4 illustrated clearly that even the same events might be basis for different narratives on corruption.

Several competing narratives could be construed on the basis of Case study 4, depending on what sort of corruption is being seen as the core of the story. In order to illustrate how different choices of the core of the story would influence evaluations of journalistic roles, let us take the narrative as perceived by Diena and alternative narrative as perceived by NRA.

*Narrative 1 (Diena, Latvijas Avīze).* The core of corruption in this story is the illegal wiretapping and leaking of journalist’s conversations. Wiretapping was organized with an intent to spy on an investigative journalist and to later use the resulting private phone conversations for intimidation and retribution (*kompromat*).

	Diena	Latvijas Avīze	NRA
<b>Enforcer/initiator</b>			
<b>Reporter/facilitator</b>	X	X	
<b>Actively corrupt/collaborator</b>			X
<b>Inactive/lazy</b>			

While Diena took a more active and outspoken stance, both Diena and Latvijas Avīze acted as reporters/facilitators of this corruption story. The scandal arose due to appearance of *kompromat* on Ilze Jaunalksne - state institutions quickly informed the public that their investigation had resulted in a conclusion that wiretapping was illegal. Hence, there are no enforcers/initiators among the media. According to this framing, NRA was among those media that was actively helping to multiply the message intended by those who had organized the *kompromat*; NRA was also simultaneously trying to kill the story on illegality of wiretapping. There might have been a variety of reasons for such a position: for example, interests’ of the owners of NRA to discredit this specific journalist, KNAB and State Prosecutor’s Office.

*Narrative 2 (NRA).* The core of corruption in this story is the corrupt journalist. Content of transcripts indicate that the journalist in some ways coordinated her behaviour with investigative institutions and one political party. Besides, she used denigrating language and admitted trying marihuana.

	Diena	Latvijas Avīze	NRA
<b>Enforcer/initiator</b>			?
<b>Reporter/facilitator</b>			X
<b>Actively corrupt/collaborator</b>	?		
<b>Inactive/lazy</b>	X	X	

Such framing of the corruption story puts NRA in the reporter/facilitator role, while Latvijas Avīze and Diena look inactive/lazy because they did not uptake this frame. As the circumstances around leaking of phone conversations are unclear, it cannot be stated with conviction whether any media

served as an enforcer/initiator of the story. Taking into account the involvement of Lato Lapsa in the story (see Case study 3), this might have been a case where there might have been a chain of *kompromat* distribution from those who had initiate wiretapping to *kompromat* distributors and only then to journalists.

Alternative interpretations should not necessarily compete, in some cases (illustrated in this case study) they can coexist (see Table 18)

**Table 18: Which is the main corruption story? Perception of the three newspapers**

Where is corruption story?	Diena	Latvijas Avīze	NRA
<i>In illegal wiretapping</i>	X	X	?
<i>In leakage of confidential information from state institutions</i>	X	X	?
<i>In conversations appearing online/being published by media</i>	?	-	-
<i>In content of the leaked transcripts</i>	-	-	X

As has already been explored in Case study 3 on *kompromat* portals, Latvia does not yet have a trustworthy system that would allow to discern responsible journalism from PR and corrupt content. This case illustrates clearly that ambiguity regarding journalistic standards and public benefit test might be harmful to journalists themselves – that might even lead to other media publishing journalist’s private phone conversations.

Had there been a trustworthy media responsibility system, that would have been an appropriate forum to discuss one of the most important issues left open by this case: in which circumstances are the media justified citing public benefit considerations when publishing information leaks, including the ones on their colleagues who works on corruption cases? What are responsibilities of media in such a case – can they be punished for illegitimate invasion of privacy if those responsibilities are not met?

Unless such responsibilities are clear, media, when publishing a *kompromat*, always run a risk of being used as an instrument of corruption rather than being responsible reporters on a corruption story. Without clarity on the standards of responsible journalism, it is almost impossible for the audience to ascertain whether some new corruption story has been the result of quality journalism or rather serves as a *kompromat*.

## Conclusions

### *Investigative journalism on corruption*

In-depth investigative reports, though rare, usually have high public visibility and political impact in Latvia. Case study No 1 (on successful investigative reporting on corrupt schemes of insolvency administrators) has demonstrated that there are some important preconditions for quality investigative journalism on corruption:

- Availability of experienced journalists who can dig up and research a corruption story
- Availability of resources to release investigative journalism from daily duties in order to work on a corruption story
- Editorial team who can provide support to the journalist and review the quality of his/her work
- Availability of the legal advice for the journalist/editor
- Technical means to make comprehensible a complicated corruption scheme (in a form of an infographic, picture, etc).
- Following the first publication of the story: follow-up reporting capacity/interest of the media (interviews, further reports, etc).

Over the last 10 years the number of media in Latvia who have some capacity to conduct investigative journalism on corruption has increased. Nevertheless, relatively few editorial teams have capacity to prioritize complex corruption stories where investigation could take more than several weeks. An important newcomer to investigative journalism scene is a non-profit organisation *Re:Baltica* which works across media spectrum (partnering with internet news portals, TV channels, print journals and even creating their own documentaries).

### *Reporting on corruption*

Majority of media in Latvia that report on corruption, do not have their own in-depth investigative capacity. Usually they report those corruption stories that are picked up by news agencies thus magnifying the reach/impact of those stories.

Some of the relevant editorial considerations when deciding whether to pick up a corruption story: the “scandal-potential” of the story, credibility of the source, convenience of transmitting the story

via particular media. That is part of the reason why many media would prioritise reporting on relatively uncomplicated corruption cases.

Even though media in Latvia tend to report on similar corruption cases, Case Study 2 (on Jurmalgate, the most widely covered corruption story in recent history of Latvia) has demonstrated that the content of reporting may be very different. For example, corruption can be framed by a newspaper as a problem that can and needs to be solved by politicians (paradigm of constructive journalism) – alternatively, media can attempt to marginalise the corruption case, even kill it. These different frames are imposed not only via the opinion/editorial sections of newspapers, but also in their news reporting – namely, even if a quantity of a corruption story-related news reporting for two media outlets might be similar, they might frame the story in very distinct ways.

### ***Kompromat reporting***

An important albeit a highly problematic phenomenon linked with corruption reporting in Latvia is the so-called *kompromat* – a market of (sometimes) corruption-related information that is published in order to ruin someone's reputation. There have been several internet news portals in Latvia that have published *kompromat* mostly based on leaks of confidential information, including from secret services, and rumours (for analysis, see Case Study 3). *Kompromat* portals are a strange hybrid between media, public relations smear campaigns, citizen journalism and civic activism. They frequently publish anonymous information that has not been verified by responsible journalism techniques. Existence and prominence of *kompromat* illuminates the problems that stem from the lack of a clear borderline between:

- legitimate whistle-blowing on corruption and deliberate leaks of confidential information on the basis of dubious purposes,
- responsible journalism on corruption and paid smear campaigns,
- citizen journalism and *trolling* (cyber-bullying) campaigns.

One of the most prominent and controversial cases of corruption-related *kompromat* has been the publishing of phone conversations of investigative journalist Ilze Jaunalksne (Case Study 4) who had been working on corruption-related issues. Her phone conversations were tapped illegally by policemen of State Revenue service – even though they were later sanctioned to imprisonment for this crime, they never disclosed the reasons for tapping her phone conversations and the person who had ordered them to engage in this illegal activity. It is assumed that the tapping was conducted in order to learn the details of the journalist's corruption related research and to use the conversations for retribution against her. Nevertheless, those phone conversations were later published by some media outlets under a pretext that they exposed unethical journalistic behaviour.

Case study 3 has shown that other media tend to republish information from *kompromat* portals without informing their own audience about the problems of this particular data source, thus magnifying the credibility and impact of those portals and devaluing the importance of responsible investigative journalism on corruption.

### ***Responsible journalism on corruption***

*Kompromat* reporting on corruption is not easy to discern from legitimate media work because media corruption has been a perennial problem of media landscape in Latvia. Among symptoms for media corruption in Latvia the following are the most important:

- existence of undisclosed paid content in many Latvian media outlets – including those that report on corruption. It is frequently very hard to tell whether some story on corruption has appeared because of a diligent editorial work or because there has been an undisclosed financial transaction to ‘convince’ the media outlet to focus on the story.
- High degree of influence of advertisers and media owners on the editorial decisions of media outlets, including those decisions that affect the corruption coverage.
- lack of clear distinction between journalism and public relations – the revolving-door policy is quite loose and few editorial teams check whether their journalists are/are not engaged in political consulting, including on issues that are linked with corruption.

Some of the problems of Latvia’s media landscape stem from the non-existence of clear regulation or credible self-control system on media responsibility and ethics.

Therefore, there is almost no common understanding on what constitutes good faith journalism and no common reaction from journalistic community if the principles of responsible journalism have been violated. In addition to that, corruption related reporting is associated not only with outlets who have been registered as mass media, but also those which have not (for example, some of the largest Latvian internet news portals are registered only as enterprises, not mass media), therefore, it is unclear to what extent the privileges and responsibilities of journalists apply in such environments.

In this context it is apparent that the abundance of corruption-related reporting in Latvia is not necessarily a positive thing. Only some part of such reporting stem from responsible good faith journalism techniques – although it seems that the overall share of responsible reporting has been increasing. An important part of Latvian corruption reporting is still based on *kompromat* that is published for purposes of *character assassination* rather than for public benefit. It is doubtful whether principles of responsible journalism have been observed in creation and distribution of such corruption stories.

## References

Baerug R. (2005) Hidden Advertising and TV Journalism in the Baltic Countries and Norway. In *The Baltic Media World*, 2005

Haagerup, U. (2014) *Constructive news (second edition)*. InnoVatio Publishing AG

Kazoka, I. *Human Assisted Content Analysis of the print press coverage of corruption in Latvia*. 30 June, 2016. Deliverable for project Anti-Corruption Policies Revisited (ANTICORRP)

Ledeneva, V.L. (2006). *How Russia Really Works: The Informal Practices That Shaped Post-Soviet Politics and Business*. Cornell University Press

*Latvijas mediju politikas pamatnostādnes 2016.-2020.gadam. Pielikums.* (2015). Latvijas Republikas Kultūras ministrija. Available online: [http://www.km.gov.lv/lv/doc/nozaru/mediji/KMPamnp\\_061115\\_mediju\\_politika.docx](http://www.km.gov.lv/lv/doc/nozaru/mediji/KMPamnp_061115_mediju_politika.docx)

Nagla I and Kehre A. (2005). *Country report on Latvia*. Available: [http://www2.mirovni-institut.si/media\\_ownership/latvia.htm](http://www2.mirovni-institut.si/media_ownership/latvia.htm)

Rožukalne, A. (2011) *Slēptā reklāma Latvijas mediju saturā: cēloņi, redakciju stratēģijas un reklāmdevēju prakse*. Sabiedriskās politikas centrs PROVIDUS. Retrieved from: [http://providus.lv/article\\_files/2117/original/slepta\\_reklama\\_mediju\\_prakse.pdf?1343212009](http://providus.lv/article_files/2117/original/slepta_reklama_mediju_prakse.pdf?1343212009)

Rudusa, R. (2009). *Footprint of Financial Crisis in the Media: Latvia country report*. Compiled by Rita Ruduša. Commissioned by Open Society Institute, December 2009.

Skudra O, Sulmane I., Dreijere V. (2014). Plašsaziņas līdzekļi demokrātiskā sabiedrībā. In *Cik demokrātiska ir Latvija? Demokrātijas audits 2005-2015*. Rīga: LU Sociālo un politiskopētājumu institūts, 2014. Available at: [http://www.szf.lu.lv/fileadmin/user\\_upload/szf\\_faili/Petnieciba/Demokratijas\\_audits\\_2014\\_kopaa.pdf](http://www.szf.lu.lv/fileadmin/user_upload/szf_faili/Petnieciba/Demokratijas_audits_2014_kopaa.pdf)

Spakovska R., Jemberga S., Krūtaine A., Sprinģe I. (2014) *Is there life after the crisis? Analysis of the Baltic Media's Finances and Audiences 2008-2014*. The Centre for Media Studies at SSE Riga & The Baltic Center for Investigative Journalism Re:Baltica

Sulmane, I. (2011). Latvian daily press journalists: Between or together with commercialisation and partisanship? In: *Media Transformations*. Kaunas: Vytautas Magnus University, Vol. 5, pp. 24–43.

Sulmane I. (2011). *Neatrastās identitātes? Latvijas dienas laikrakstu žurnālisti politikas, ekonomikas un kultūras lauku ietekmē*. LU SPPI

OSCE, (2014). *Latvia, Parliamentary Elections, 4 October 2014: Final Report*, Organization for Security and Co-operation in Europe, 18 December 2014





This project is co-funded by the  
Seventh Framework Programme for  
Research and Technological  
Development of the European Union



## **Project profile**

ANTICORRP is a large-scale research project funded by the European Commission's Seventh Framework Programme. The full name of the project is "Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption". The project started in March 2012 and will last for five years. The research is conducted by 20 research groups in fifteen countries.

The fundamental purpose of ANTICORRP is to investigate and explain the factors that promote or hinder the development of effective anti-corruption policies and impartial government institutions. A central issue is how policy responses can be tailored to deal effectively with various forms of corruption. Through this approach ANTICORRP seeks to advance the knowledge on how corruption can be curbed in Europe and elsewhere. Special emphasis is laid on the agency of different state and non-state actors to contribute to building good governance.

Project acronym: ANTICORRP

Project full title: Anti-corruption Policies Revisited: Global Trends and European Responses to the Challenge of Corruption

Project duration: March 2012 – February 2017

EU funding: Approx. 8 million Euros

Theme: FP7-SSH.2011.5.1-1

Grant agreement number: 290529

Project website: <http://anticorpp.eu/>